


3 1761 11895368 6



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761118953686>

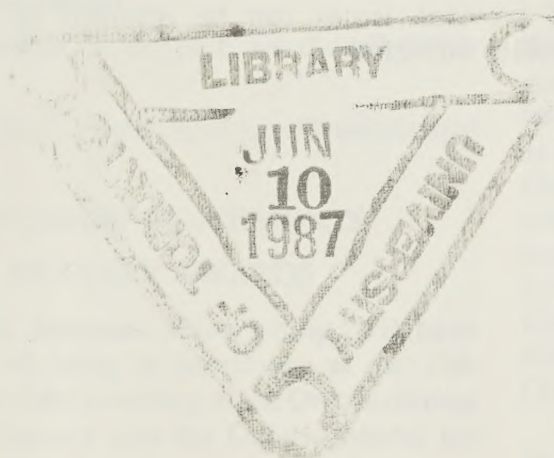


R8
Government
Publications
No. 59

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament
Tuesday, November 4, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 4, 1986

The House met at 1:30 p.m.

Prayers.

Mr. Shymko: I would like to inform honourable members that today is Italian Memorial Day. May we make some comments with reference to that, with the permission of the House?

Mr. Speaker: I understand the member has requested unanimous consent of the House in order that other members may make brief comments. Is there unanimous consent? There is not unanimous consent. I understand there is not unanimous consent because there is a time for members' statements.

Mr. Shymko: In the past, we did allow for that.

Mr. Speaker: That is correct, with unanimous consent.

MEMBERS' STATEMENTS

BRAVERY AWARDS

Mr. J. M. Johnson: This evening I will have the honour of being in attendance at the 10th investiture for the awarding of the Ontario Medal for Police Bravery and the Ontario Medal for Firefighters Bravery. The Lieutenant Governor, the Honourable Lincoln Alexander, will be presenting medals for bravery to 10 policemen and 11 firefighters.

One of the recipients, Constable Adrian Knetsch of the Waterloo Regional Police Force, is from Drayton in my riding of Wellington-Dufferin-Peel. On January 24, 1986, this police officer risked his life in saving a young woman trapped in a burning house.

Two other recipients, Ontario Provincial Police Constable Kevin Adam of Red Lake and Constable Tim Robbins, saved a woman from drowning in an icy river, again at the risk of their own lives. Kevin is the son of OPP Constable Alex Adam and Judy Adam of my home town of Mount Forest.

Three firefighters who will be receiving the Ontario Medal for Firefighters are neighbours from Elmira: Tim Gingrich, David Holmes and Dale Martin.

I ask the members of this Legislature to join me in paying tribute to all 21 brave individuals, policemen and firefighters, who are to be so appropriately honoured by our Lieutenant Governor on behalf of the citizens of our province for their acts of bravery.

ADVOCACY GROUPS

Mr. R. F. Johnston: We now have Rick Hansen Man in Motion Week and, as I understand, it there is even a suggestion that we rename a township in this province in his honour. I would like to make slightly more practical suggestions for the handicapped as alternatives to honouring his accomplishments and his presence among us.

Specifically to the Attorney General (Mr. Scott), who is not yet in the House, but also to the government, how about bringing forward legislation this week to establish Advocacy Ontario, as proposed in July by the Concerned Friends of Ontario Citizens in Care Facilities? This legislation will provide advocates or representatives for handicapped residents of nursing homes, homes for special care, rest homes and other institutions. These would be independent representatives funded through the Ministry of the Attorney General, not through the two on-line ministries.

I know the Attorney General has been working on this legislation and has established objectives for it under the representatives funding legislation to enable clients to lead lives as independently as possible, to reduce the need for guardians or conservators, to reduce incidents where clients are abused or neglected and to promote respect for and ensure the rights, freedoms and dignity of clients.

Given that in recent days we have seen that there is not enough food given to people in nursing homes, that criminal charges are possibly pending in some of these nursing homes and that there have been delays in inquests that should have been automatic in this province, I encourage the government to introduce this legislation. We will give it swift passage and it will be a very meaningful response to Mr. Hansen's visit.

BRAVERY AWARDS

Mr. G. I. Miller: I would like to join in the remarks of my colleague the member for

Wellington-Dufferin-Peel (Mr. J. M. Johnson). On May 6, 1986, one of my constituents, Captain Jack Esselment of the Hagersville detachment of the town of Haldimand fire department, saved a man's life. Upon arriving at the scene of a house fire and without taking the time to don his safety equipment, Captain Esselment entered the burning building, found a 72-year-old man unconscious and dragged him to safety.

It is unselfish acts of bravery such as this that we recognize later today with the awarding of the Ontario Medal for Firefighters Bravery and the Ontario Medal for Police Bravery. These medals are a small token of Ontario's appreciation, not only for those being recognized today but also for the thousands of police officers and firefighters who regularly risk their lives to make this province a safer place in which to live.

At this time, I would like to take the opportunity to offer my personal congratulations and I hope the congratulations of all members of this House to Captain Esselment and other firefighters and police officers being recognized with medals of bravery today.

PROPERTY ASSESSMENT

Mr. Davis: I would like to speak briefly on the subject of market value assessment in Metropolitan Toronto. As most members are aware, Metro Toronto council last month gave a qualified endorsement of the implementation of market value assessment for the region. The implementation of section 63 reassessment would result in lower taxes for 410,000 home owners, but at the same time, more than 305,000 home owners would face increases in their property taxes, some as high as 2,000 per cent.

Yesterday my colleague the member for Eglinton (Mr. McFadden) asked the Minister of Revenue (Mr. Nixon) whether he would release the property-by-property data indicating the impact of market value assessment, but the minister refused to commit himself to releasing the data at this time. I find this appalling, particularly when thousands of Metro home owners, including many thousands in Scarborough, are worried whether they will be able to shoulder any substantial increases in their taxes. With market value assessment now on its way in Metro Toronto, the 715,000 home owners have a right to know what the exact impact will be on their taxes from such a move.

Once again, on behalf of these home owners, I ask the Minister of Revenue to live up to his government's promise of being open and accessible and to release this data today.

APPOINTMENTS IN PUBLIC SECTOR

Mr. Breaugh: I want the assembly to note that near the end of the spring session the standing committee on the Legislative Assembly tabled its report on appointments in the public sector. We did so after a great deal of work, examining in other jurisdictions and in our own minds what would be a fair and reasonable way to proceed with appointments in the public sector. The members will be aware that the federal government has made some substantial moves on this process to end what has been known as the patronage system in Canadian politics.

I was sorely disappointed with the government's official reply to the committee report earlier this week. I think it is ridiculous to assume that in this day and age there cannot be a review of such appointments. Of course, there can and should be. Even the federal government has gone so far as to acknowledge that. I recognize it is probably cheaper for the government of Ontario to send a press release to various newspapers and deal with that as proper notice, but I do not for a moment believe that is proper notice.

The committee's report was a compromise report. It was a reasoned response to a request from the government to design a process for appointments in the public sector. It basically asked for proper notice so that people would know what these positions were. It defined a process so that people could follow it and it opened up the process for all citizens in Ontario. Frankly, it is not acceptable that a patronage system which did not serve this province well for many years is replaced by a new patronage system. We demand a process that provides for reasonable appointments in the public sector.

CRIME PREVENTION WEEK

Ms. E. J. Smith: As this is Crime Prevention Week, I would like to point out that the city of London has shown great leadership in this area by establishing some years ago an anti-vandalism committee of council, which works very closely with all the schools and the London Board of Education. As a result of this initiative and close co-operation, we have two people who are being honoured this year in Crime Prevention Week in London.

One is Janis Koyanagi, student council president of G. A. Wheable Secondary School. She and the service club in her high school, through her, are being honoured for their work on anti-vandalism in the city of London. James Leatham, administrator of the anti-vandalism program, is also being honoured for this pro-

gram, which he put together as a 1985 summer employment experience, working in police, law and youth program initiatives. These two represent the many citizens of Ontario from all our ridings who will be honoured during Crime Prevention Week.

I know all members will be pleased to honour them and to encourage such initiatives in their communities.

ITALIAN MEMORIAL DAY

Mr. Shymko: I would like to inform honourable members that today is Italian Memorial Day. On this day we join with the province's Italian community in commemorating Italian soldiers who died in all wars.

[Remarks in Italian]

13:44

STATEMENTS BY THE MINISTRY AND RESPONSES

SOCIAL ASSISTANCE

Hon. Mr. Sweeney: Today I wish to announce the details of improvements to the benefits paid through Ontario's two major social assistance programs: family benefits and general welfare. This is the third occasion since I became minister that I have announced improvements to these programs.

The first occasion was before the House one year ago when \$81 million in new funding was introduced. The second package of improvements was implemented just two months ago. It consisted of \$25 million in increases to recipients with high shelter costs. The total cost of the package I am announcing today is estimated at \$72.7 million for the year 1987-88. Consequently, this House may wish to take note that, including the present announcement, the province has implemented almost \$180 million in improvements to social welfare programs since January 1986.

Approximately 260,000 recipients of family benefits and general welfare assistance, representing almost 500,000 people, will benefit from the measures I am announcing today. All the improvements become effective on or before January 1, 1987.

Today's increases recognize this government's wish to make it possible for everyone on social assistance to keep up with the cost of living. Therefore, I am announcing, effective January 1, an increase of five per cent in basic allowances for all social assistance recipients—across-the-board increases that exceed the growth in the cost of living.

This will mean that social assistance recipients in greatest need, those with high shelter costs, will receive a total of 10 to 12 per cent higher allowances in January 1987 compared to January 1986.

In addition, I am pleased to announce, first, a special \$16 increase in the portion of monthly basic allowances earmarked for dependent children who are age 16 and older. This increase is in recognition of a greater rate of food consumption within this age group.

Second, I want to announce a \$50 increase in the maximum discharge benefit that is paid to family benefits and general welfare assistance recipients when they leave an institution to establish themselves in the community.

Furthermore, I have been concerned about the problems experienced by single people on general welfare assistance who are seeking accommodation in commercial board and lodging settings. The current maximum allowances are simply inadequate. For this reason, in addition to the basic five per cent increase, I am raising their maximum allowance by another \$50.

Finally, I wish to announce an expansion of the annual benefit of \$80 for children's winter clothing. This was introduced in 1985 for recipients of family benefits only, because of the greater length of time they need assistance. Beginning this year, however, we are also providing this allowance to families receiving general welfare assistance, because a growing number of families on general welfare assistance are compelled, through no fault of their own, to rely on assistance for longer periods. General welfare assistance recipients can expect to receive their clothing benefit by the end of this month. In future years, it will be provided by the end of October.

These improvements are a key part of an overall strategy of this government to ensure that the allowances provided are fair and adequate. As a result of the special increases I have announced during the past year, the purchasing power that recipients facing higher shelter costs had lost over the past decade has now been restored.

In closing, we recognize more remains to be done to improve Ontario's social assistance system. In that regard, members may recall my announcement of an independent and public review of this system.

Today's announcement demonstrates that we are not putting action on hold while we explore the possibilities of more fundamental change

through the review process. With today's package and in conjunction with my two previous announcements, I am confident we have begun to address the needs of the economically disadvantaged in this province.

Mr. Cousens: The Minister of Community and Social Services has waved his magic wand, but I ask on behalf of all the people who need help in the province: Will the food banks disappear? No. Is the housing in this province going to improve? No. Is the money there for seniors who also have needs for food? No. Does this get rid of the problems of the needy? No.

There are many losers, but the biggest loser today is the minister, who did not get the money. He got less than 10 per cent of the \$800-million windfall. Shame.

Mr. R. F. Johnston: Responding to the announcement of increased assistance for recipients of social assistance in Ontario, I would like to take a novel approach. Let us pretend the minister did not do this today and give him a chance to do it again tomorrow. Let me tell him about some of the things that should have been in here but that are not.

We in Ontario have all been talking ad infinitum about Rick Hansen. Even though in answer to my question the minister hinted on October 22 that he might be making things better for the disabled in this province, he has done nothing to narrow the gap for the elderly and the disabled. The minister should come back tomorrow and try to narrow that gap a little bit. A five per cent increase is not going to do anything at all.

The minister has also put down here that this year, the average length of time that people are on welfare is dramatically higher than it was last year. He knows that is nonsense; it is almost identical. We made the argument last year that people on welfare should be receiving the same kind of assistance as family benefits recipients. Why is it good this year when it was not last year? I ask the minister to be a little more reasonable with us.

The minister has added \$16 to the amount to go for teen-age dependants. That means a family benefits mother will have a little more than \$100 for each child, compared with as much as \$500 a month, which the ministry gives foster parents to look after teen-age children. The minister then has these preposterous economics on page 4, where he says that because of his work, "the purchasing power which recipients facing high shelter costs had lost over the past decade has now been restored."

I do not know which bureaucrat hiding among the denizens of the bureaucracy over there worked slavishly for months to come up with that statistic for the minister, but I ask the minister to come clean. He knows it is really tough on our recipients in all the major municipalities in Ontario, and they have not made up the deficit this year.

I again ask the minister to come back tomorrow and give us another shot at it. I will pretend this never happened, and the people of Ontario will forgive him.

TRANSFER PAYMENTS

Hon. Mr. Fulton: I want to take this opportunity to inform the honourable members that, after years of underfunding, Ontario's municipalities can look forward to increased transfer payments in the coming year. This continues a trend first established last year by the Ministry of Transportation and Communications.

For example, in the area of municipal roads construction and maintenance, there will be a 4.6 per cent increase—that is, 4.6 per cent above our base figure—for a total allocation of \$568.9 million. In addition, we have been able to retain our \$30-million Ontario municipal improvement fund for roads, which will provide funding for much-needed municipal transportation improvements.

These increases represent this government's and this ministry's commitment to provide the necessary funding to ensure that the municipal roads network can accomplish the efficient movement of goods and people. This, in turn, will enhance the economic viability of our communities.

With this commitment, this government clearly states its belief in the role played by roads in the social and economic development of Ontario.

Mr. Gregory: I note that the Minister of Transportation and Communications got up with a great whoop-de-do to announce virtually a repetition of last year. He said there will be a 4.6 per cent increase for municipal roads construction and maintenance. In the construction industry, 4.6 per cent is not even up to inflation.

The minister went on to say he will carry on—again whoop-de-do—with something he did last year with \$30 million, notwithstanding the fact that during the last provincial election, the Premier announced \$40 million a year for five years. The minister is now taking great credit for coming up with \$30 million.

Where are the funds for all the hundreds of bridges that need repair in Ontario? With the additional revenue of \$400 million, I am surprised he was not strong enough to get more money for his ministry.

Hon. Mr. Grandmâitre: Yesterday the Treasurer (Mr. Nixon) announced provincial global funding allocations. In keeping with our commitment to provide municipalities with information on transfer payments as early as possible, I would like to outline details of the municipal transfer payments and the Ministry of Municipal Affairs unconditional grants program.

Comme l'a mentionné hier le trésorier de l'Ontario, un certain renouveau économique en Ontario nous permet d'augmenter les paiements de transfert aux municipalités à un taux plus élevé que celui de l'inflation et par des montants plus importants que ceux des années passées.

Overall, Ontario municipalities will receive transfer payments totalling \$3.6 billion during 1987, an increase of five per cent over 1986.

The unconditional grants program administered by the Ministry of Municipal Affairs will deliver to municipalities a total of \$821.3 million in 1987. This is an increase of 4.9 per cent, or nearly one full percentage point over last year's increase of four per cent. Nearly \$40 million in new funds will be made available to municipalities through this program.

As announced by the Treasurer yesterday, transfer programs to municipalities will increase by about five per cent. The 1987 program will contain important initiatives, which will be particularly welcomed by municipalities.

Ce programme permettra d'accorder des sommes additionnelles aux municipalités de l'Ontario dont la croissance économique est plus faible, particulièrement dans l'Est et dans le Nord de la province.

Municipalities in the east and the north lack the necessary financial resources to finance local services adequately and have shown a clear need for additional revenues.

The enrichment, of approximately \$7.5 million, will be delivered to low-growth municipalities by raising the resource equalization grant ceiling from the current \$1.25 per household to \$3 per household.

To ensure that northern and eastern Ontario benefit sufficiently from the initiative, there will be an added provision that the grant increases to municipalities located in these areas will be at least five per cent over 1986.

Les municipalités du Nord et de l'Est de cette province pourront profiter grandement de ce

financement additionnel. En moyenne, ces régions auront droit à des subventions qui augmenteront d'environ six pour cent, au lieu de 2.5 pour cent, si notre gouvernement n'avait pas mis ces sommes supplémentaires à leur disposition.

All municipalities will receive an increase in their total 1987 grant entitlements.

As an additional benefit to municipalities this year the payments in lieu of taxes, which the province makes on institutional properties, will be increased by 50 per cent from \$18.4 million to \$27.6 million. These payments have not been increased since 1973, even though municipal mill rates nearly tripled during the intervening 14 years.

The move to increase these payments demonstrates this government's responsiveness and sensitivity to the representations made over the past several years by our colleagues at the municipal level.

Because of changes to the programs and institutional payments, most municipalities should now be able to levy mill rate increases for 1987 at or below the rate of inflation.

I will be sharing this information on unconditional grants with the executive committee of the Association of Municipalities of Ontario later this week.

Les municipalités de la province recevront donc \$821.3 millions en 1987, ce qui représente près de \$40 millions, ou encore 4.9 pour cent, de plus que l'an dernier.

The government is keeping its commitment to municipalities by providing them with information on their transfer payments as early as possible to give them sufficient time to plan their next year's budget in an orderly manner.

Mr. Breagh: I want to give members the good and bad news in the announcement by the Minister of Municipal Affairs about unconditional grants.

The good news is that the bad news is coming earlier than it ever has in the history of Ontario, so that at least they know what they have to deal with.

The second piece of good news is that the province has updated its version of paying its own property tax. I am sure they are grateful for that. Smaller towns will get about \$7 million. They could build a good road with \$7 million. It is a question of which of them will actually build the road.

The other interesting thing is that there is an actual increase in here of \$40 million, which would build a very good recreational complex in

any community in Ontario. The bad news is the dressing rooms will be in Cornwall, the ice pad will have to be in North Bay and there will be a refreshment stand just outside the Tunnel Bar-B-Q in beautiful downtown Windsor. It is going to be tough to use it.

FUTURES PROGRAM

Hon. Mr. Sorbara: A year ago today, the Ministry of Skills Development launched Futures, a program designed to help unemployed and marginally employed young people to find permanent jobs. On the first anniversary of Futures, it is my pleasure to report that our new approach to the very serious problem of youth unemployment is paying off and that Futures is proving to be a great success.

In its first year of operation, Futures and the programs that preceded it helped almost 50,000 young people in Ontario, and two thirds of those young people have found work or have opted for further education or training. I am particularly pleased that about 4,000 young people, who had dropped out of school and faced extreme difficulty finding work, took up our option of a government commitment of one year's employment in return for a personal commitment to upgrade their education on their own time.

These results are due to the interest and enthusiasm of young people themselves, to the dedication of the men and women in the organizations that deliver Futures—our community colleges and the youth employment counselling centres throughout the province—and to the excellent response and co-operation of the business community.

Unemployment among young people aged 15 to 24 exceeded 12 per cent before we launched Futures, and while it has since dropped to below nine per cent, it is still unacceptably high. For that reason, we are expanding the Futures program this year.

Dans le Nord de l'Ontario, par exemple, où le nombre des jeunes sans emploi est particulièrement élevé, nous avons entrepris, en collaboration avec le ministère des Affaires civiques et culturelles, d'offrir des services aux jeunes autochtones vivant dans des réserves isolées.

En tout, 21 localités ontariennes de plus bénéficieront du programme l'Avenir, cette année. Aux 20 pour cent des participants au programme l'Avenir qui ont besoin d'une préparation de base à la vie et au monde du travail, nous offrons des services de formation préprofessionnelle dans 25 centres supplémen-

taires et nous ouvrons, cette année, 24 nouveaux centres de placement l'Avenir.

With our youth employment and training programs established and expanding, the Ministry of Skills Development is now focusing with equal energy and enthusiasm on breaking new ground in the area of adult training. We are proceeding to implement Ontario's Training Strategy, which I announced two months ago, on September 4.

Earlier today, I had the pleasure of officially opening the Ontario skills development offices in Ottawa and Brockville. Last Friday, Seneca College's office officially opened for business.

At the rate we are moving, all the elements of Ontario's Training Strategy will be in operation within a very short time. With our three elements, our training strategy, our Futures program and our apprenticeship system currently under review, we believe we can co-operate with private employers and unions to build the world-class training system necessary to ensure Ontario's long-term prosperity.

Mr. Jackson: Five days ago, the Minister of Skills Development announced in his estimates, when referring to his Futures program, "It has all the earmarks of a runaway success." After two days of rather intensive questioning, we now have a ministry that has all the earmarks of a runaway ministry.

An hon. member: He has run away himself. He is not even there.

Mr. Jackson: He has run away. We discovered with some concern that since April 1, this ministry has expanded from 64 people at the head office of the ministry to 170 staff. It is a threefold increase for that bureaucracy.

There is no comprehensive database for the statistics on youth employment in this province. For example, there are no stats on job retention for Futures graduates, on program drop-outs or on how many have found permanent jobs, and yet this minister is asking for millions of dollars to continue this program without effective monitoring of it.

This week in Toronto, there is a Futures conference where all the youth employment counselling services and the community colleges have assembled. They have enumerated significant problems with this program, if the minister would care to listen. There is a conflict between the youth employment counselling centres and the colleges. There is a conflict because they are fighting over students, they are fighting among employers and they are fighting for shrinking dollars. The minister knows of at least five

groups we have identified, the Kettle Point, Ohsweken, St. Thomas, Collingwood and Burlington youth employment counselling services, that may or may not get funding for the balance of this year.

The minister knows the Futures program is putting dollars into the pockets of young people in Ontario, but it is not putting skills and recognized skills into their hearts and minds. That is what the promise of this program was supposed to be. It was a promise that was envisaged by the ministers of the previous government. I am disappointed that on an occasion such as today, when the previous skills minister, the member for Brantford (Mr. Gillies), announced 29 different youth employment counselling centres, the minister comes to the House on this anniversary with three.

This program is encouraging high school drop-outs. You have only to go and talk to different school boards to determine that. The identified at-risk young people, those on supervised, alternative learning programs, are leaving schools lured by very attractive advertising from this government with the promise of a one-year job, and they are not getting their secondary school graduation diplomas.

Yesterday, the minister admitted there is absolutely no linkage between his ministry and the Ministry of Education. His parliamentary assistant sat through those estimates and deftly listened but did not respond to the fact that there is no linkage between our schools and the Futures program.

Mr. Warner: No wonder the minister ran and hid. From Gregory in Wonderland, we turn to the voice of reality.

The reality is that, according to the Social Planning Council of Metropolitan Toronto, "A stimulative monetary policy could create jobs for employment disadvantaged youth at a lower cost to the taxpayer than the Futures work experience program."

This program has accommodated approximately 30,000 young people—not the 50,000 in the statement, but 30,000. At the end of August, 109,000 young people were out of work. There is a drop-out rate in the pre-employment program of between 25 per cent and 65 per cent in Toronto and a drop-out rate in the work placement program of 34 per cent in Toronto.

The \$100 a week on the pre-employment program is 51 per cent below the poverty line. The \$4 an hour is 22 per cent below the poverty line. The low wages are exacerbated by a lack of affordable and decent housing and of day care.

At best this program is a Band-Aid, and at worst it prolongs the day when we can have meaningful employment for all the people of Ontario. Shame.

14:10

ORAL QUESTIONS

NURSING HOMES

Mr. Grossman: The Attorney General will be pleased to know that my question today is for him. It relates to the now famous Birthe Jorgensen report. It has come to light today that in April 1986 the Advocacy Resource Centre for the Handicapped and the Advocacy Centre for the Elderly sponsored a conference focusing on issues relating to the elderly and disabled.

Apparently, Ms. Jorgensen was on a panel discussion on this very issue, the violation of people's rights in institutions. It now turns out that Ms. Jorgensen herself gave a copy of her report to a representative of the nursing homes branch of the Ministry of Health and to the legal counsel for the Ministry of Health, who was on the same panel with Ms. Jorgensen. It also appears that representatives from the policy development branch of the Ministry of the Attorney General were in attendance at the conference and therefore they too would have got copies of the report.

How can the Attorney General explain the reality that in both his ministry and the Ministry of Health this report was put on a shelf somewhere and allowed to gather dust and nothing whatever was done with it?

Hon. Mr. Scott: I have made inquiries in my own ministry to determine when the report was received. I have read the report now. It speaks in a very general way about these important cases. As the member knows, as the Treasurer (Mr. Nixon) reported yesterday, an investigation is in the course of being conducted by the Ontario Provincial Police. I am making inquiries as to why the report was not brought to my attention or to the attention of the Deputy Attorney General.

Mr. Grossman: Surely the Attorney General has to agree with me that the possibility of successful action in this matter is seriously hurt by the fact that there are six months, if not more, between the events and the investigation being undertaken. I remind the minister that it is not only inappropriate but out of keeping with all sense of ministerial responsibility for the minister and his colleague the Minister of Health (Mr. Elston) somehow to try to walk away from their responsibilities as heads of their departments.

With respect to the Attorney General, it is not adequate for him or his colleague to say: "Do not blame me. Blame my staff. They did not deliver it to me."

Will the minister indicate to the House today that he and his colleague the Minister of Health are prepared to do what the the Minister of Labour (Mr. Wrye) had to do when he found out that there were some major shortcomings in the occupational health and safety branch of his ministry, that is, have someone conduct a complete investigation of the internal workings of both ministries?

Hon. Mr. Scott: I thank my honourable friend for his little lecture, which I will take to heart. The point of his question is whether there is any risk that prosecution will be made more difficult because of the delay. If the member reads the report, he will see that the information that was used by the writer was received by the agents of Concerned Friends of Ontario Citizens in Care Facilities on a confidential basis. We are making inquiries as to whether Concerned Friends are in a position to waive that confidentiality so an investigation can be conducted. If they are, an investigation will be conducted. If they are not prepared to waive confidentiality, it follows that we will not be able to interview any of the people who gave Concerned Friends that information.

The other thing that is revealed is that Concerned Friends advised the complainants to them that it would be inappropriate to go to the police force or investigative agencies with their complaints. This has produced a delay. As the Leader of the Opposition will know, many of the complaints that Concerned Friends had are several years old, but we will do our best to see to it that the police conduct a full investigation in the circumstances.

Mr. Grossman: We must remember that the Attorney General, as the chief law officer of the crown, had a responsibility that has been put in some jeopardy because of the maladministration inside his ministry, which caused a serious allegation not to be dealt with for some six months at the very least. I remind the Attorney General that his colleague the Minister of Health admitted yesterday that the delay may make it difficult for police to investigate the allegations.

I also remind the Attorney General that, because of his determination not to fill the deputy minister's position in his ministry, there was a situation where he did not have a full-time deputy minister, he had acting deputy ministers for an extraordinary length of time. Therefore, the Attorney General must bear some responsibility

for his administrative decisions in not appointing a deputy minister and he must also bear the full and direct responsibility for the inadequacies of the ministry on which he reports to this House in failing to bring the report to his attention.

Will the Attorney General launch an investigation similar to the one launched by the Minister of Labour in terms of investigating administrative shortfalls in his ministry?

Hon. Mr. Scott: I do not know what to make of all that, but let me see if I can respond this way: The delay the Minister of Health referred to in the press reports is a function of the fact that in many cases the complainants who spoke to Concerned Friends did so several years ago. I think the most extreme case was five years before the matter came to light. There is no doubt that delay makes the investigation more difficult. Conceivably, many of the old people who were the objects of the complaint will have died in the intervening five years.

The matter is made more difficult because Concerned Friends, which is in every way an excellent organization and with which I have met from time to time, thought it appropriate—and I do not quarrel with this—to accept these complaints on a completely confidential basis. I respect that, but it follows that it may again make the investigation difficult.

The very investigation the Leader of the Opposition is concerned about is going to take place, is indeed under way, and we will have to see what that investigation produces.

On the subject of the Deputy Attorney General who was acting Deputy Attorney General for some time, I regard it as a relatively, though not untypically cheap shot to assert that he would not be able to administer the department effectively during the period when he was acting.

CONFERENCE ON NORTHERN COMPETITIVENESS

Mr. Harris: I have a question for the acting Chairman of Management Board of Cabinet concerning the Conference on Northern Competitiveness currently being held in Sault Ste. Marie.

The chairman of our northern caucus, the member for Rainy River (Mr. Pierce), who is attending the conference, has indicated to us the report that was prepared for the conference is a disgrace, is out of date, is completely inadequate and fails to address the current economic problems facing the north. One of the reasons for this is undoubtedly the government's lack of understanding of the north. Perhaps another is a

result of the fact that the government paid consultants from southern Ontario to write the report.

Can the acting Chairman of Management Board explain why the government was unable to find qualified consultants in northern Ontario who would have known what are the real issues there?

Hon. Mr. Nixon: I will try to answer that. I can understand why the member for Rainy River did not think it was a good report; he is a member of the opposition.

The Premier (Mr. Peterson) and the cabinet of Ontario have shown their good faith in establishing programs for northern Ontario. Our bona fides are accepted by any objective and reasonable observer. There is no question that the people who prepared the report were capable and well motivated. As far as we are concerned, the report was a reasonable one.

Mr. Harris: The acting Chairman of Management Board knows that this southern report is an insult to northerners. They know the problems they are facing. The government spent \$164,000 in the south for a southern report that still perpetrates the myth that the north will never be anything other than a collection of rocks and trees.

14:20

The conference agenda is a complete sham. It appears as though the conference is nothing more than an elaborate public relations exercise. In view of that, can the minister explain why the conference agenda has not addressed tourism, agriculture, secondary industries or transportation—any one of those areas?

Hon. Mr. Nixon: I understand the conference is being well attended by people from the north. The Premier and a number of cabinet ministers are there. I notice a good number of opposition members from both parties also attended, although most of them have returned now, which is appropriate as well.

I think the agenda was appropriate. The Minister of Northern Development and Mines (Mr. Peterson) has indicated quite clearly by his actions in the decisions of this government, backed up by the Treasury, that in the long-range development of the north we are not as pessimistic as the honourable member has indicated.

Mr. Harris: The member should listen to his own Minister of Northern Development and Mines.

Yesterday the minister, in his other hat as Treasurer, fessed up to \$800 million a year or

\$400 million for six months. He has admitted in this House on a number of occasions that the economic recovery that gave him that \$800 million is not being shared equally in areas such as northern Ontario.

Other than a piddling amount for roads, which still leaves him short with inflation-indexed dollars of previous commitments for roads in the north, why was there nothing in his economic statement yesterday and nothing in his \$800-million worth of money for northern economic development, if he really wants us to believe he is serious about the north?

Hon. Mr. Nixon: When the honourable member refers to a piddling amount, I am not sure what kind of cat he keeps at home. The amount that is referred to in the statement of yesterday actually gives the municipalities of northern and eastern Ontario a substantial leg up on the provision of new roads and municipal transportation. We think it is quite appropriate. I am surprised the honourable member is not expressing the gratitude of his own municipality.

Mr. Gillies: The minister put his leg up on the north?

Hon. Mr. Nixon: It is dogs that do that.

Mr. Rae: Both my legs are on the floor, Mr. Speaker, and I do not have a cat at home.

EXTRA BILLING

Mr. Rae: I have a question for the Treasurer in the absence of the Minister of Health. We had to get from the Ontario Medical Association and not from the Minister of Health, who would not provide it to us, a copy of the president's letter that has gone out from the OMA to its members with regard to the question of uninsured services.

In the light of that information, I would like to ask whether the Treasurer feels that a situation in which a doctor has charged an individual in Thornhill \$70 for storing medical charts for seven years as part of his uninsured services and \$30 for booking an outpatient's operation would be covered by the letter from Dr. Railton to members of the profession?

Hon. Mr. Nixon: The Minister of Health is attending a meeting of health ministers in Ottawa. He provided me with a copy of a statement that I believe he made public there. It does not give the specific answer the honourable member requests dealing with a specific doctor in a specific location, but I want to read just one paragraph. I am quoting the Minister of Health:

"I am encouraged by the OMA's position that standby charges and excessive administrative

fees are unacceptable. The government agrees with the OMA that these extra fees are obstacles to insured services and thus must be considered in contravention of the Health Care Accessibility Act. The government will fully reimburse patients for these extra charges and will take appropriate action against physicians who continue to bill in this manner."

Mr. Rae: The Treasurer has read only part of the statement from the Minister of Health, which I have also seen. The minister has simply said he will be reviewing the guidelines and will be discussing them further with the OMA. He says he has some reservations about the OMA guidelines as contained in the letter. Patients are not really helped by whether or not the Minister of Health has reservations. They have to deal with this problem every day.

In particular, does the Treasurer think a professional rate of \$30 for every 15 minutes is justified for the following services, as indicated in Dr. Railton's letter: telephone advice; doctors' certificates, e.g., back to school; consultations with allied health professionals; interviews with paramedical organizations or others on behalf of a patient; case conferences; and interviews with relatives?

Does the Treasurer not realize that, as a result of this letter, not only is there not going to be a stop to the amount of additional charges that are going on, but there is also going to be a flood of additional charges, because they have now been officially sanctioned in a document signed by the president of the OMA?

Hon. Mr. Nixon: The honourable member asked for my opinion, and I really cannot give it to him. I am somewhat unreconstructed on matters of charges in many of the professions, as the Attorney General (Mr. Scott) knows. However, I feel that the Minister of Health, in the statement I quoted, has been quite specific that in those areas where an extra charge is recognized, the full force of the authority of the Minister of Health will be brought to bear, and he has indicated reimbursement. I do not see how he can be more definite than that.

Mr. D. S. Cooke: The House leader will remember that during the debate on Bill 94, the Minister of Health indicated that one of the steps that resulted in Bill 94 was the fact that the OMA, in a deal that was struck by the former government in 1978, was unable to enforce any regulations or guidelines on any of its members. Therefore, the only way of controlling extra billing was to bring in legislation.

Would the House leader for the government not understand that the only way we are going to be able to stop these ridiculous charges for uninsured services is to amend Bill 94 in order to make it clear that doctors cannot continue to impede accessibility to our health care system?

Hon. Mr. Nixon: I am not prepared to agree with the honourable member that this is the only way that aim might be accomplished. The House is aware that negotiations with the OMA on a new fee schedule will have to be under way soon, since the previous agreement runs out in April 1987. It seems to me those are matters that could be discussed. It may well be that a professional agreement can be arrived at, and I am quite hopeful that this will occur.

CONFERENCE ON NORTHERN COMPETITIVENESS

Mr. Rae: I was at the conference in Sault Ste. Marie yesterday and this morning. The people of Ontario vote for political parties; they do not vote for government by consultants. What we have seen over the past two days has been government by Coopers and Lybrand.

I would like to ask a question of the Treasurer directly about the statement he made yesterday. Can the Treasurer comment on what he thinks the impact would be on northern Ontarians, who are very much, by their own statements and even by statements made by the government, living in a different Ontario from the one in the south. How does the Treasurer think they are going to respond to his statement yesterday, which says:

"Part of the increased revenue has been allotted for such priority funding as agricultural support programs, health care programs and capital for economic development projects such as the GM-Suzuki assembly plant in Ingersoll, as well as infrastructure for the Toyota assembly plant in Cambridge."

What kind of impact does the Treasurer think that statement is going to have on a northern conference that gets this statement today and is trying to understand what kind of priority the government of Ontario attaches to development in the north? They had Coopers and Lybrand yesterday, who told them how bad things were and indicated there was nowhere to go in the future. They have this statement from the Treasurer arriving today, which indicates that the priorities for the government are in Ingersoll and Cambridge, not in northern Ontario.

Hon. Mr. Nixon: I think the honourable member misunderstands the facts. The statements by the government having to do with new

programs in support of industry and economic growth in northern Ontario were made at the time of the last budget. Those involved substantial funding of the northern development fund and additional funding to assist especially hard hit towns. I specifically mention Sault Ste. Marie, which is—

Mr. Martel: Try Sudbury.

Hon. Mr. Nixon: That is fine. The funding the honourable member has referred to is for those special requirements for funding that have occurred since the budget. Those were decisions taken for the location of GM-Suzuki, for example. It also undertook the funding of additional forest firefighting, additional funding for Ontario health insurance plan payments to doctors over and above what had been originally required, and the \$400 billion of additional funding that was referred to was not spent on increasing general programs but on specific payments that were required during the budgetary process.

14:30

Mr. Rae: The Treasurer cannot get around the fact that he chose to make a statement yesterday and he chose to indicate that he had extra money coming in because of what has happened principally in southern Ontario in terms of the increase in revenue and the increase in economic activity. He knows that even since his last budget, layoffs have been announced in Sudbury, Thunder Bay, Smooth Rock Falls and Sault Ste. Marie and that other layoffs are pending in community after community. That situation has got worse since his last budget.

Why was there no provision in the statement he made yesterday to deal with the crisis facing northern Ontario? Why was there nothing at all for the north in the statement he made yesterday?

Hon. Mr. Nixon: I guess the honourable member is under the impression that the statement was some kind of mini-budget. There were no new announcements of expenditure. If he is confusing in his mind my announcement of transfers to the universities and the municipalities, there was additional funding there. I am afraid the honourable leader of the third party has confused those two matters.

Mr. Foulds: Now that the Treasurer has admitted his statement yesterday contained nothing new, in spite of finding \$405 million in his budget that he did not expect to find, can he tell me what economic steps he and his government are going to take to ensure that the more than 5,000 people who have been laid off in northern

Ontario in the past year are put back to work, as they want to be?

Hon. Mr. Nixon: The honourable member knows the answer to that question is a difficult one. One of the useful things the Premier (Mr. Peterson), who is also the Minister of Northern Development and Mines, is doing is that he is up in the north meeting with northerners to achieve some answers to the questions the member is asking. We have listened to the suggestions of opposition members from the north, but their suggestions are not practical. This conference being held in the north is a practical approach to finding out what the needs of the northern community actually are and to act upon them.

PAY EQUITY LEGISLATION

Mr. Grossman: My question is for the minister responsible for women's issues. Who is that? Is the Attorney General prepared to accept these questions today?

With regard to the issue we raised yesterday, the government House leader acknowledged it was possible to implement all of the narrow Bill 105 on pay equity in the public service by way of internal government regulation and simple implementation. We know of the minister's commitment to pay equity for women in the public sector at least. Will the minister do his job as minister responsible for women's issues and recommend to this House and to his colleague that immediate implementation occur?

Hon. Mr. Scott: I suppose if I am to be the lead figure in question period from now on, I am going to get these little lectures. The reality is—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Scott: I suppose the problem is that I find these little lectures a little unctuous. I will just have to get used to them and do my best.

Let me say to the honourable member that the government decided some months ago the way it was going to proceed with pay equity in the Ontario public service, the broader public sector and the private sector. It was decided, for reasons that were made plain at the time, that the OPS bill should be advanced first and should be advanced in the form of a bill, so there would be recognition of the right that was being established by the bill and those who were beneficiaries of the bill would have not a regulation but a statute as vindication of their right, making plain exactly what benefits were to be assigned to them by the Legislature.

For my own part, I think that was a sound decision, and I continue to do what I can to encourage the Minister of Labour (Mr. Wrye) to pursue it. I think it is the right policy. We will be introducing a bill for the broader public sector and the private sector in due course.

Mr. Grossman: I will begin by apologizing to the Attorney General for requiring him to come to the Legislature three or four times a week and hear the views of people other than himself. I know he finds it more enjoyable in cabinet, where people worship at his feet, but we have other responsibilities.

One of the responsibilities we have over here, instead of thanking him dearly for moving this far on public sector pay equity, as his colleagues do, is to represent the women of this province who are wondering why he will not move very far at all. My question, therefore—

Interjections.

Mr. Speaker: Order.

Mr. Grossman: My question to the Attorney General, if he will be so kind as to receive it, is this: Why will he not do what he has full and complete authority to do as a member of the government and say to the 29,000 women in the public service that they can have pay equity this week simply by putting through the appropriate arrangements in cabinet tomorrow morning?

Hon. Mr. Scott: First, let me accept the honourable member's kind apology, for which I am grateful. I have been misunderstood. I did not intend to convey that I objected to questions raised by the opposition or by members of this House; it is only to questions from the Leader of the Opposition (Mr. Grossman).

I am delighted to hear the Leader of the Opposition say he is going to speak for the interests of women, and well he should, because they cannot even get on the executive of his political party.

Interjections.

Mr. Speaker: Order. Everything was so polite here for a while. Does the minister have a brief response?

Hon. Mr. Scott: That was a brief response I gave.

Mr. Harris: I rise on a point of privilege, Mr. Speaker, one that can be corrected quickly by the Attorney General in correcting the record as to his accusation about the number of women on the Progressive Conservative executive. If the Attorney General will check, there are probably more women on that executive than there are on the Liberal executive.

Mr. Speaker: Order. That is not a point of privilege.

14:40

NURSING HOMES

Mr. Rae: I would like to ask a question of the Attorney General. It is partly of a factual nature. I honestly do not know whether the Attorney General knows the answer to it. I ask this in the absence of the Minister of Health (Mr. Elston).

The minister was not here, but he may recall that over a period of years a number of different crackdowns have been announced at different times with respect to nursing homes. It is almost a ritual occurrence. At one point in the ritual, the then Minister of Health appointed a prosecutor from the crown attorney's office to the nursing homes branch who had a particular responsibility to deal with cases that had prosecution as their response. I wonder whether the Attorney General can tell us today precisely what is happening with respect to that office.

Hon. Mr. Scott: May I begin by saying to the Leader of the Opposition (Mr. Grossman) that this is a question. This is about a 9.8. This is a meaningful, intelligible, shortly phrased, pointed question. This is what it is all about.

Mr. Speaker: I hope we can have an answer in the same vein.

Hon. Mr. Scott: What is more, the question has something to do with the public business of Ontario. As the honourable member says, I am aware that a prosecutor was assigned for the task he described. I will make an inquiry today and attempt to provide a report at the earliest possible moment about the matter the member raised.

Mr. Rae: Because of the Attorney General's lifelong interest in freedom of information, which interest will no doubt continue for the rest of what we all hope will be his very long life, I will ask him a very simple question.

While he is investigating that, perhaps he can explain the suppression by the Minister of Health of the Crittenden report, which was in the hands of the Minister of Health in March 1986. It contained information that was critical, to put it mildly, of the operation of several nursing homes. It raised profound questions about the standard of care in the nursing home industry, to use the official phrase, and was not released by the Minister of Health until four o'clock on a Friday afternoon in the middle of September 1986.

While the Attorney General is finding out where the prosecutor is who is supposed to be prosecuting cases that are involved, perhaps he can also find out why the Minister of Health suppressed for six months information relevant to the care of people living in our nursing homes.

Hon. Mr. Scott: The same question has been put to the Minister of Health from time to time in the House, and he has provided his answer with respect to it. However, I will undertake to bring the member's concerns to his attention as soon as I can.

PROPERTY ASSESSMENT

Mr. Gregory: I have a question for the Minister of Revenue. As the minister will recall, he was asked yesterday whether he would release individual assessment reports to the public and to the members of this House. In asking this question, my colleague the member for Eglinton (Mr. McFadden) expressed his concern about the financial implications this assessment process could bring to bear on a number of home owners in the city of Toronto. For this reason, I would like to ask the minister the same question. Why will he not release these individual assessment reports to the members of this Legislature and to the very public that will be directly affected by their outcome?

Hon. Mr. Nixon: I would like to make public any information in the ministry that would be in the best interests of the community. In this instance, it is the judgement of the officials in the Ministry of Revenue that if the property-by-property assessment impact were released, it would create a flood of appeals to the Assessment Review Board that would make tax collection during the interim period a chaotic situation.

When the officials of the municipalities concerned want to discuss this with our officials, we will be quite pleased to talk about it, because we are thinking of the best interests of the municipalities concerned. At present, there is a resolution by Metro Toronto council accepting the concept of reassessment at market value across the whole of the Metro Toronto area, and we want to co-operate in every way for the benefit of all concerned.

Our rejection of releasing that information in the past has been on the basis of an understanding with the municipalities that it would not serve the taxpayers or the municipal councils since we give all that information in ranges and in geographic areas but withhold the house-to-house information the member is requesting. All those matters can be discussed, and if the municipalities want

that information released and understand the difficulties it may create for them, we are prepared to give it consideration.

Mr. Gregory: In this era of purported openness and accessibility we hear so much about, I find it difficult to comprehend that these reports are not readily made available to the ratepayers affected by them. As a matter of fact, the main difference was prompted by the member for Essex South (Mr. Mancini), who asked me, "Why did you not do it?" I did not do it because we never had a request or a resolution passed by Metro council. We have now, and that is the difference.

The public has a right to know and to understand the contents and implication of these reports. Will the minister agree to release these reports immediately to enable both the public and the members of this House to see what the effects will be on properties and homes in this city?

Hon. Mr. Nixon: I have already agreed to sit down with the Metro Toronto chairman or his officials and with the officials of the ministry, who the member, a previous minister, knows so well. They are very competent people. They can work out what is in the best interests of the municipalities and the ratepayers and move forward the prospect of this reassessment.

SEWAGE TREATMENT PLANTS

Mr. Mackenzie: I have a serious question for the Minister of the Environment. Given the major story that appeared in yesterday's Hamilton Spectator concerning the alarming rate of absenteeism and illness among the workers at the Woodward Avenue sewage treatment plant in my riding, can the minister give us a statement in this House which will identify the toxins that have been discovered in the plant? Can he tell us whether the workers were exposed to polychlorinated biphenyls and when those workers were informed that they were working with PCBs? Can he give us any other pertinent information on the health situation in that plant?

Hon. Mr. Bradley: I appreciate the fact that the honourable member has drawn this to the attention of the House. As the member is aware, the Minister of Labour (Mr. Wrye) has the jurisdiction over occupational health and safety. I will want to discuss with him the plant itself, because there is a peripheral involvement to the Ministry of the Environment.

Primarily, the Minister of Labour will be addressing the issue of the exposure to any chemicals by the workers in that plant. I know the Minister of Labour will want to discuss that with

me and in the House tomorrow. I will be pleased to indicate to him that the member has asked that question and that he will be looking for that information.

Mr. Mackenzie: Now that it is obvious we have a very serious health threat to sewage treatment workers across Ontario, is the minister prepared to see that there is ordered an immediate, comprehensive and independent health study of the workers in sewage treatment plants across Ontario? Is he also prepared to see that we will institute pretreatment of all industrial wastes so the contaminants are not dumped into the sewers by hundreds of plants in Ontario?

Hon. Mr. Bradley: Speaking to the first half of the member's question, most certainly. Because of this report and others that have been forthcoming, it seems to me that such an assessment of the problem that exists in the various sewage treatment plants across the province would be a good idea, in conjunction with the Minister of Health (Mr. Elston), who has an interest in that, but again primarily with the Minister of Labour. I want to discuss the member's suggestion with the minister. As I say, this is not an isolated incident, and that is why it is important.

In regard to the second half of the member's question, about pretreatment, one of the reasons we put forward the white paper on the municipal-industrial strategy for abatement program was to get the kind of input the member is giving today and that others have given about those discharges that would not go directly into waterways but would go into sewage treatment plants. We have had good input from various sources on that. I am giving serious consideration to finding a mechanism that would deal with those discharges as efficiently as those going directly into waterways. Certainly, pretreatment is one option that is very viable.

14:50

AFFORDABLE HOUSING

Mr. Cousens: I have a question for the Minister of Community and Social Services. The question has to do with the housing needs of our province.

We are talking today of thousands of Ontarians living in hostels; 12,000 to 14,000 people in Metro Toronto alone are living in hostels. There are more than 2,000 people in this province who are psychologically disabled who are living in boarding houses. We have hundreds of people, at least 200 in Toronto, who live in the streets, and

there are other people doing the same in Ottawa, Windsor, Hamilton and other cities.

We are talking about people who do not have walls or a roof or a hearth or a place really to call their own. We are talking about a very serious housing crisis. What is the minister prepared to do to alleviate this growing housing crisis to provide affordable and supportive housing in Ontario?

Hon. Mr. Sweeney: The honourable member is aware of the fact that my ministry shelter responsibility is with respect to emergency shelter, such things as hostels, and that the responsibility in this government for long-term permanent shelter or housing rests with my colleague the Minister of Housing (Mr. Curling). He announced very recently, during the last three or four weeks, an additional 3,000 units on top of the 6,700 units he announced earlier this year.

That is the two-phase program. The Minister of Housing is responsible for permanent housing; we are responsible for emergency housing. In Metro, for example, this year there will be an addition in excess of 3,000 emergency beds.

Part of the problem that we are having in large cities, such as Metro Toronto, is a significant number of people coming into this area from either western Canada or eastern Canada.

Toronto social services just recently did a random access of 2,000 recent files and found that 1,300 of the 2,000 had come into the city during the last few weeks from either the east or the west. They are doing their best, with our assistance, to keep up, but it is very difficult under those circumstances.

Mr. Cousens: It is not only difficult, but it seems to be something the government cannot cope with, because the Minister of Housing and the Minister of Community and Social Services have not come together to try to solve the problem. When are this minister and the Minister of Housing going to get together and come up with a comprehensive housing policy that begins to address the needs of the people in our communities?

Hon. Mr. Sweeney: For the first time in the history of this government that I am aware of, the Minister of Housing is a member of the cabinet committee on social policy as opposed to just the resources committee. In other words, housing is now seen by this government as a social need in addition to an economic need; so we do work together.

The second point is that there is regular consultation between the Ministry of Housing and my ministry as to the kind of long-term

housing that is needed and the supportive mechanism from my ministry that will make it possible.

Third, the Ministry of Health and my ministry have just jointly announced, in consultation with the municipality of Metro Toronto, the Habitat program, which will provide longer-term shelter, not short-term shelter, for ex-psychiatric patients coming out of psychiatric hospitals.

There is a joint program among Toronto, the Ministry of Health and the Ministry of Community and Social Services. Thus, there are co-ordinated programs with the Ministry of Health and there are co-ordinated programs with the Ministry of Housing, but there is a long way to go.

SEWAGE TREATMENT PLANT

Mr. Hayes: My question is to the Minister of the Environment. The minister is no doubt aware that in December 1985 the Ministry of Labour shut down the composting operation at the Windsor West sewage treatment plant because of a work refusal, and from December 1985 to September 1986 the city dumped sewage sludge in the Maidstone township dump illegally. After September 1986, the Ministry of the Environment granted the city an emergency permit to dump sewage sludge in the Maidstone township dump. That permit expired on October 31.

Will the minister please tell us why he has approved another emergency permit, which would allow the city to continue to dump sewage sludge in the township of Maidstone?

Hon. Mr. Bradley: As the member will appreciate, there is divided opinion on this if one looks at the people he represents in his constituency and at those who are in Windsor. One difficulty is that the people of Windsor are concerned that if the sludge were left in the plant, it would spill over into the waterway. That is certainly not an option; so it is a matter of determining where the sewage sludge can go. At present, the only location that appears to be available and acceptable is Maidstone and there has been a limited extension for it. It is not the best of all worlds, as the member would most certainly agree.

There was a hope that the occupational health and safety issue—the member for Hamilton East (Mr. Mackenzie) alluded to the problems that exist in this regard—could be resolved so that the health of the workers could be protected and the composting could be resumed. That has not been resolved at this time, but I understand the sides are working towards that end.

Mr. Hayes: The city, the Ministry of the Environment and the Ministry of Labour have had a year to resolve this problem. Rather than making the necessary improvements to the plant, the problem has been transferred from the city and dumped on the county. The city has probably already spent in excess of \$100,000 alone to truck that sewage sludge into the county. Will the minister stop the emergency permit and resolve the problem at the source, which is the sewage treatment plant in Windsor?

Hon. Mr. Bradley: There is one difficulty I encounter in conjunction with my colleague the Minister of Labour (Mr. Wrye) when I do that, namely, do we place in jeopardy the health and safety of the workers working in the composting plant? There is always very great concern about that; so it is balanced off. I know the member does not want me to place undue pressure on the Minister of Labour to allow that operation to resume as it existed in the past.

Alderman Bounsall of Windsor has expressed his views on the matter. He is very concerned that the city have a location to place its sludge, at least on a temporary basis. It is not a long-term solution, and I think the member will agree about that. We are attempting to resolve the occupational health and safety issue as quickly as possible, while at the same time protecting the workers in the area.

VISITOR

Mr. Speaker: Before I recognize the next member for a question, I would like to inform all members that in the lower gallery we have a former Speaker of the House, the former member for Lake Nipigon, Jack Stokes.

MINORITY-LANGUAGE EDUCATION

Mr. Davis: I have a question for the Minister of Education. Under Bill 75, minority-language trustees were elected this fall to public school boards by both separate school ratepayers and public school ratepayers. However, these trustees will have to resign at the end of December when Bill 30 comes into effect because all of them were elected by separate school supporters and will no longer be eligible to remain on public boards. A second set of elections will have to be held. The minister's staff advised the boards on how to structure the elections this fall.

Can the minister explain why his staff failed to warn the boards of this problem and failed to recommend ways to structure their elections to avoid the problem and why his staff actually

approved the election procedures that created the problem?

Hon. Mr. Conway: These elections across the province to establish the minority-language education councils have not been characterized by failure but rather by enthusiasm, commitment and interest. I want the record to speak very clearly to that reality.

15:00

We recognize there may be the rare situation where a second election will be required because, as a result of the impact of Bill 30, not Bill 75, the trustees to which the member made reference will be dropped from the public boards as of December 31, 1986. Where that is the case, and we do not expect it to be a very frequent occurrence, there will be procedures in place to provide for new trustees in early 1987.

Mr. Davis: Subsection 136i(3) of Bill 30 states that if a member of the public board has been elected by a separate school supporter, he cannot remain on the public board. Will the minister tell this House how many new elections he expects to see on January 1 because of his incompetence and inability to deal with that problem?

Hon. Mr. Conway: Surely it is an unkind cut for the member for Scarborough Centre to suggest that in this historic initiative we in this government have been incompetent. Quite to the contrary, we have been very competent, concerned and creative in meeting this important requirement of our charter and of our new Constitution.

There is no separate school representative who has chosen the path to which the member makes reference without knowing well in advance what the consequences would be at the end of December 1986. Let me say to the member for Scarborough Centre and his friend from Manotick that we in the ministry have taken extraordinary measures to inform not only the trustees but also all in the Ontario community.

I do not expect many elections. Where they are necessary, they will take place and they will be like the elections just completed. They will be done very well and with a great deal of input.

SEWAGE TREATMENT PLANTS

Mrs. Grier: I have a simple one-part question for the Minister of the Environment. He has heard today from my colleagues the member for Hamilton East (Mr. Mackenzie) and the member for Essex North (Mr. Hayes) of concerns in sewage treatment plants. He is aware of similar

problems in sewage treatment plants all across this province.

Does the minister agree that if the industries that now dump their wastes into municipal sewers were forced to treat those wastes before they dumped them, many of these problems could be resolved?

Hon. Mr. Bradley: Yes.

Mrs. Grier: That being the case, will the minister please explain why his municipal-industrial strategy for abatement program does not regulate the 12,000 industries in this province that currently dump their wastes into municipal sewers?

Hon. Mr. Bradley: This question was longer; so the answer will be longer in this case.

I will mention two things in this regard. First, it is incorrect to say those matters cannot be addressed. One of the options is pretreatment, as I mentioned to the member for Hamilton East. Another is a bylaw that would apply across the province in various municipalities and would involve those discharges going into the sewers. Either of those options is viable.

In addition, the MISA program contemplates that the sewage treatment plants themselves must have discharges that are acceptable. Therefore, the municipalities will want to ensure in any event that the materials going in will be acceptable so that they do not encounter those problems in sewage treatment plants.

The white paper for the MISA program contemplates representations made by various people and groups, and we are listening very carefully. As the member knows, we are always prepared to listen to her ideas, ideas from the Conservatives and from everyone in the province.

NURSING HOMES

Mr. Andrewes: My question is to the minister of unction, the Attorney General. It concerns the alleged suppression of information in the Crittenden report, alluded to by the member for York South (Mr. Rae).

While the minister is investigating that alleged suppression of information within the Ministry of Health, will he investigate the suppression of the report of Sam Ruth of the Compliance Plan Review Board, which we understand has been in the minister's hands since last June?

Hon. Mr. Scott: I will do that.

ACCESS TO CHILDREN IN CUSTODY

Ms. Gigantes: My question is to the Attorney General. The minister seems to be launching out

now in a great new area of social reform—the enforcement of access rights for noncustodial parents, who are usually fathers—when we have still seen neither hide nor hair of the maintenance enforcement reform that principally affects children and mothers, which was approved by this Legislature many months ago. Where is it?

Hon. Mr. Scott: As I said to the honourable member yesterday when I met her in the building, we are giving consideration to developing a mechanism that will make the enforcement of this act easier. We have had occasion to attend in Manitoba, which, as every member knows, is Nirvana for the honourable member and those associated with her. We have had the advantage of their suggestions about how the act can be made to work effectively. I found those very helpful, and we hope this scheme will be better on that account.

Ms. Gigantes: Can the Attorney General explain to us why, when we were in committee discussion of this legislation, he suggested he would have his mechanism for enforcement in place by September? He is now telling us that it is “maybe,” and with lame excuses. Perhaps he might think of plugging into the very excellent system in Manitoba, since he thinks so highly of it.

Hon. Mr. Scott: The delay the member for Ottawa Centre refers to has been occasioned because of the complexity of operating a system of the Manitoba type in a province that has as many centres of population as Ontario has, eight or 10 times the number that exist in Manitoba. I thank the member for her suggestion that we should plug into the Manitoba model. It is a good model, and we are relying on the experience they have had in Manitoba in order to make our system as good, if not better.

PUBLIC LIBRARIES

Mrs. Marland: My question is for the Minister of Citizenship and Culture. As the minister is aware, the standing committee on regulations and private bills has been dealing with Bill Pr7, which is a bill allowing the Huron county council to become the library board and to disband the existing library board.

In her letter dated October 27 to the chairman of that committee, the minister says, in referring to the Public Libraries Act, “The act does not provide for nor encourage the replacement of a public library board by a committee of council.”

In the light of her later support in the letter for this bill, does the minister now consider that the Public Libraries Act needs to be amended?

Hon. Ms. Munro: No, I do not consider that it needs to be amended.

Mrs. Marland: If the minister does not feel the act needs to be amended, then I have to ask her why the library board of Huron county is so different from any other library board around Ontario that she seems to feel she can support Bill Pr7.

Hon. Ms. Munro: As it is constituted at present, the Public Libraries Act allows for municipal councils and library boards to determine where the local issues lie. I believe that is the extent to which this minister or this ministry can go. In all other cases, and I am presuming also in the case of the Huron library, those issues have been dealt with. In my mind, this does not indicate any necessity for revision of the act itself. The act has plenty of leeway for incorporating local concerns.

AID TO DISABLED

Mr. R. F. Johnston: My question is for the Minister of Revenue. Today the Minister of Community and Social Services (Mr. Sweeney) failed to come through with anything substantial for Ontario’s disabled. Yesterday I was asking the minister a number of questions or raising concerns with him in his estimates, and nothing was forthcoming.

I have a very specific request to make. Has the minister considered or will he consider making available to the disabled community of Ontario the same thing as he does to the seniors of Ontario; that is, the property tax grant, which is not available to disabled people living in their own homes, especially since the value of the property tax grant has dropped from its initial \$500 to being worth only \$325 in 1980 dollars today?

Hon. Mr. Nixon: I will give that consideration, yes.

15:10

Mr. R. F. Johnston: It is kind of the Treasurer to consider it. How quickly does he think we could see that? Is it possible to get an announcement of that sort of thing before Rick Hansen leaves Ontario, so we might leave something substantial in his wake instead of weeks and townships named in his honour?

Hon. Mr. Nixon: I would be misleading if I indicated we could proceed that quickly. I am sorry I am a little conservative in the way I respond. I think the community is responding very well to Rick Hansen’s presence. I under-

stand he may be in the gallery tomorrow, and we are looking forward to that.

Mr. Harris: Mr. Speaker, on a point of order: We have gone through question period today with 10 ministers out of a cabinet of 21. Some might say that not only is this fewer than half but it is also the bottom half.

Mr. Andrewes: Now, we would not say that about the Attorney General (Mr. Scott).

Mr. Harris: Some might want to say that, but—

Mr. Speaker: Order. Which standing order are you referring to?

Mr. Harris: It deals with a motion to adjourn the House if we cannot have better attendance by the cabinet so we can have reasonable attendance and respect for the Legislature.

INTRODUCTION OF BILL

BARRISTERS AMENDMENT ACT

Hon. Mr. Scott moved first reading of Bill 147, An Act to amend the Barristers Act.

Motion agreed to.

Hon. Mr. Scott: Today, I am presenting the Barristers Amendment Act for first reading. This act will give effect to the statement by the Premier (Mr. Peterson) of December 10, 1985, abolishing the office of Queen's counsel in Ontario.

The bill is very simple. It repeals the existing provisions of the Barristers Act dealing with QCs. It then abolishes the office of Queen's counsel entirely. For greater certainty, all existing QC patents are cancelled. Finally, the bill prohibits the use of the title "QC" in the practice of law in Ontario. In our view, this will prevent lawyers with QCs appointed in other provinces or by the federal government from holding themselves out to the public as QCs.

To enable Ontario lawyers to use up existing stocks of letterhead, professional cards and the like, the prohibition on public use will come into force only on September 1, 1987. The courts will remain in control of their practice with respect to gowns, precedents and the like, and we expect the Law Society of Upper Canada will enforce the general prohibition in an appropriate fashion.

I am aware that many lawyers will feel a wrench or pang of regret, as I myself do, in giving up this traditional honour. However, I believe that most, if not all, will soon become comfortable with the idea that their reputations among the profession and their standing in the community will depend on the merits they have demonstrated and not on a piece of paper given

out without criteria or control by the government of the day.

ORDERS OF THE DAY

THIRD READING

The following bills were given third reading on motion:

Bill 12, An Act to amend the Compensation for Victims of Crime Act;

Bill 70, An Act to amend the Provincial Offences Act;

Bill 107, An Act to amend the Legal Aid Act;

Bill 24, An Act to amend the Small Business Development Corporations Act;

Bill 27, An Act to amend the Corporations Tax Act;

Bill 28, An Act to amend the Income Tax Act;

Bill 32, An Act to amend the Tobacco Tax Act;

Bill 130, An Act to repeal the Gold Clauses Act.

ASSESSMENT AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 131, An Act to amend the Assessment Act.

Mr. Gregory: I adjourned the debate on Monday, October 27, when I was making telling points on the minister, Tinker Bell, who is the chief minister on the government side in charge of tinkering. Of course, precisely the point I was making was that he was doing that with this bill. Nothing is really accomplished with these amendments. Whereas he removes exemptions on certain sections, he adds exemptions on others.

I see nothing wrong. It follows a course I began as Minister of Revenue to put an exemption on property tax or assessment for amusements. This was done for the first time at Marineland. That is fine, but what I do not understand is the paradox of adding this exemption for amusement rides at the same time as the minister is going to assess parts of farm properties. This indicates the government does not have its priorities right. I can see removing taxes from amusements—that is fine—but why add taxes for the farmer who already has a somewhat desperate time managing?

This is going to be particularly difficult for farming co-operatives. Farming co-operatives now find they are going to be assessed on the common storage bins. This is counterproductive.

The farming co-operatives are not making money; they run as nonprofit organizations. If they go bankrupt as a result of this additional taxation, they are going to have build them on their own properties, on their own farm lands. Then, of course, they will be tax-exempt. This seems to be a little silly. It is a bit of the tinkering we were talking about a moment ago. Why do this at all when they have the option of having it on their own property and having it tax-exempt? From the standpoint of saving everybody money, it seems to me that to operate through a tax-exempt co-operative would be far more productive than doing what the minister is doing.

I have a great deal of difficulty with this. I have to ask myself why the minister is doing it, because it does not seem it is going to produce any more revenue for anybody except, I suppose, for communities that have amusement parks but no farms. I suppose that qualifies my riding. Maybe I should not be arguing against this bill because of these amendments. It certainly would benefit my area.

15:20

The Deputy Speaker: Order. Will the members of the official opposition and the various members of the other party who are conversing please discontinue their conversations. It is not fair to the member who has the floor. Please carry on your conversations elsewhere, including the whip.

Mr. Gregory: Thank you, Mr. Speaker. I appreciate your interjection there, because it points out to me that the members of my party and the third party missed entirely the intelligent remarks I was making. It leaves me no alternative but to go back over my remarks to make sure the members get the benefit of them.

Mr. Dean: Just your intelligent remarks.

Mr. Gregory: That should take a little shorter time then. I find it a paradox, as I said, but I could not be heard because of the interjections over here. It is paradoxical that we would take an exemption off assessment in one area and add an exemption in another area. I do not understand that. It seems to be counterproductive.

I wonder what this bill is supposed to do besides give the appearance of a very active government making changes to the bill. The changes are being made for change's sake because there is nothing to be gained on this one. That is why I classify it as tinkering. We are getting a succession of bills being tinkered with in the House these days, making minor changes that do not mean very much.

Of course, the local government newspaper will build them up and say they are important. The press are not here now, they are outside, but they will build it up and say it is one of the many bills this active government has brought forward. Surely, somebody somewhere is going to analyse some of these important bills and point out how useless they are in what they have accomplished.

The act of changing a bill for the sake of changing it, the act of taking an exemption off one place and adding it on another, with the net result of zero or zilch, is not the proper way to present legislation in this House. I am surprised at the Treasurer (Mr. Nixon), whom I have always regarded as having a high degree of intelligence. Surely he has looked at this and observed that it accomplishes nothing. Why are we wasting the House's time on it? I do not think there is any advantage to it. I hope the Treasurer can enlighten me on the grand purpose of it all.

Hon. Mr. Nixon: Are you talking about all of Bill 131?

Mr. Gregory: No. I am talking about the section dealing with the removal of the exemption on amusement rides and the other section dealing with taking away the exemption from farm buildings. Is the minister with me?

Hon. Mr. Nixon: Yes.

Mr. Gregory: Thank you. Now that we have the minister straightened out, we can continue. There is no sense in belabouring that. I am sure I have repeated it several times, even over the interruptions on both sides of the House. The minister knows exactly what I am talking about. I hope when this goes to committee of the whole House, or whatever happens to it, he is going to see the merit of which I speak and remove those sections or change them.

I need help from my whip. Where is the member for Durham West (Mr. Ashe)?

Interjections.

The Deputy Speaker: Order. Will the member for Mississauga East (Mr. Gregory) be seated, please? Maybe we can get some of the conversations quietened down. Let us take a little break of silence until we get all the conversations quietened down. It seems we are like a tomcat making its calls around and interrupting the member.

Mr. Davis: That is the normal procedure for the Liberal government.

The Deputy Speaker: Order.

Mr. Gregory: That is quite right. It is a shame that so often we in this House have so little respect for fellow members when they are trying

to make a point. They have conversations and meetings going on all the time a member is trying to speak. I can appreciate that what they are talking about is far more interesting than what I am talking about at the moment, especially when I have heard it four or five times. If the next speaker will get here, I will have done with it.

Having said that, I thank the members for the opportunity to comment on Bill 131.

The Deputy Speaker: Are there comments or questions?

Mr. Breagh: Perhaps the record ought to show that the reason we watched the previous speaker stammer around for three or four minutes was that his whip was trying to find the next speaker for his own party. The record should show that.

The Deputy Speaker: That is not really a point of order.

Mr. Breagh: Is it a point of order now? Mr. Speaker, you asked for questions or comments and that is what you got. You did not get a point of order.

Mr. Gregory: On the same point of order.

Mr. Breagh: There is no point of order.

The Deputy Speaker: Order. I stated it was not a point of order.

Mr. Gregory: On a point of privilege, Mr. Speaker: Since the member has impugned my motives, I would like to say that my true reason for carrying on was that I suspected he was going to be the next speaker and I wanted to make sure we had someone else.

The Deputy Speaker: That is not a point of privilege.

Hon. Mr. Nixon: The honourable member asked me why I introduced the section dealing with amusement rides. On December 14, 1984, the member for Mississauga East, who then was Minister of Revenue, announced he would introduce an amendment to the Assessment Act to exempt amusement rides from municipal taxation. I agree with what he said on December 14, 1984. His staff, now my staff, is just as good as it used to be.

The other thing is that he felt this was tinkering. The changes in farm assessment are designed not to increase or decrease the assessment but to see that certain decisions of the courts are not going to reduce assessments that have always been accepted by the farm community in a way that will be seriously detrimental to the municipalities. I am talking about assessments on silos and certain farm buildings. We want to

make it clear in this amendment that if a farm building is not directly associated with a manufacturing process, it should properly be assessed, but if it is associated with a manufacturing or farming process, it would be exempt. This matter has become more and more confused because the courts have found on actions both ways. The recommendation from the officials is that this amendment clarifies the matter.

I am not for a moment saying this bill is a matter of major concern, but it does improve situations for the benefit of the taxpayers and the municipalities.

Mr. Gregory: The Treasurer points out, and rightly so, that I indicated I was going to introduce the legislation. I repeated that six or seven times in my remarks earlier. I agreed with that. I agreed with the exemption on amusement rides and that sort of thing. What I described as counterproductive was doing it at the same time as adding assessment on farm property. That is what I commented on. I was not criticizing in any way. How could I criticize legislation I intended to introduce?

Hon. Mr. Nixon: I was wondering the same thing.

Mr. Gregory: Even I am not that silly. I want to assure the minister that I agree with that part of it. I disagree with the contradictory part where he is taxing—

Hon. Mr. Nixon: Got it now.

Mr. Gregory: He has it now. I can repeat it three or four times or I can speak more slowly. It is understood now.

Mr. Foulds: I rise to indicate we will support the bill on second reading, although we have a number of concerns we would like to raise at this time and perhaps hear about during the hearings that I understand are going to take place on this bill. We will also deal with them when we get to clause-by-clause in committee of the whole House.

The bill is like many of these taxation bills, although this is an assessment tax amendment; it is inconsistent. It closes an exemption in one case and provides an exemption in another. The Treasurer, who is a widely read and scholarly man, will know Emerson said at one point that "consistency is the hobgoblin of small minds," and it will be the only defence he has in terms of consistency in his taxation policy.

15:30

I know some of my colleagues will also be speaking on this bill. We do not intend to hold it up, but some of them have particular concerns

because of the effects the bill could very well have in their ridings. I am thinking of my colleagues the member for Essex North (Mr. Hayes), the member for Beaches-Woodbine (Ms. Bryden) and the member for Windsor-Riverside (Mr. D. S. Cooke)

First of all, we should indicate that sections 1 and 4, as I understand it now, render liable for business assessment—and I emphasize business assessment—such nonprofit corporations as are engaged in commercial activities. As I understand it, what that means is that credit unions, food co-operatives, golf and country clubs and other nonprofit organizations will be liable to be assessed at business assessment rates in the municipalities. I understand the reason for this is that a number of court decisions have basically destroyed what the original intent of “nonprofit” was. I am not sure of my grammar there, but I hope I am getting the message across.

As I understand it, until 1983, case law had traditionally held that the true test in determining liability for business assessment and taxation was whether the activity being carried out was truly a commercial activity. The intent to make a profit was an important consideration but not the sole test. I understand there was a Supreme Court of Canada decision in 1983 which held that a credit union, for example, was exempt from the business tax because the preponderant purpose of a credit union was not that of making a profit.

Many other judicial decisions have followed, so that such organizations as insurance associations, the Ontario Jockey Club, which is a favourite of the Treasurer's, social clubs and golf and country clubs have also been exempted.

Hon. Mr. Nixon: The Toronto Stock Exchange?

Mr. Foulds: I was just getting to the Toronto Stock Exchange.

Hon. Mr. Nixon: Are they friends of yours?

Mr. Foulds: In fact, the very next sentence in the notes prepared by my researcher, Jim Mundy, indicated that several other nonprofit commercial enterprises, such as the Toronto Stock Exchange and all real estate boards, are now before the courts seeking similar status, I believe.

I can understand what the Treasurer is getting at. The loss to the municipalities from this exemption, or the potential loss, or the loss when credit unions gained the exemption, was \$700,000. The Ontario Jockey Club decision caused tax losses of \$3.1 million to the four municipalities of Toronto, Mississauga, Fort Erie and Etobicoke in 1984 and 1985.

While I understand the intent of the Treasurer, I have some concerns that I want to raise with him. Perhaps another way of going at it would be to try to define better, or more clearly, what is a nonprofit organization serving the needs of a common group of people. I would argue that perhaps we should be looking at some future time, if this amendment goes through—and I suspect it will—at the possibility that there might be a differential business or commercial rate for such organizations as small credit unions. Although they would be eligible for assessment tax, it might not be legitimate to have them taxed at the same commercial rate as, say, a bank is, because they do not have the access to the same services provided by a bank and they therefore do not have access to the same kind of income that a bank has and the same kind of profit.

It may be worth looking in the future at some way of providing a tax break for genuine nonprofit organizations, such as a small food co-op or a credit union, which is not available to other large commercial enterprises. I know that may be difficult, but I cannot help but get the feeling that in this case the Treasurer has cast his net just a bit too far, and only a few of the larger business organizations should be caught by this section.

There is another one I want to deal with on second reading. I will deal with the more complicated section on silos and farming equipment in a few minutes. In sections 1 and 4, the Treasurer is removing an exemption. On the other hand, in sections 2 and 3, he provides for the exemption of amusement rides from property taxes.

Hon. Mr. Nixon: I like to keep things balanced. This is not a tax grab.

Mr. Foulds: I hear it is called the Vince Kerrio amendment because of the representations made for Marineland in Niagara Falls by the member for Niagara Falls (Mr. Kerrio).

Hon. Mr. Nixon: That was announced by a former Minister of Revenue, whom Vince Kerrio did not influence too much.

Mr. Foulds: Although I understand the technical definition, the question I have on the granting of this exemption is when does permanent machinery become real property? I would say as long as it is permanent, as long as it is not movable.

There may be some difficulty with that, and I would like that difficulty explained in the clause-by-clause debate. I know it is difficult, but I also worry about removing this assessment

from municipalities that have relatively little assessment.

The Treasurer will argue that he is replacing it with a grant in lieu of those taxes. To the best of my knowledge, he has not yet announced what proportion those grants will be and whether they will be indexed to the tax that the municipality applies in the future to commercial enterprises in its jurisdiction.

We know very well that a grant of so many dollars this year, even with the modest inflation rate of between four per cent and five per cent we are facing, will be worth far less in five or six years than will the assessment value be to them. I would like the Treasurer to address that concern.

I have no difficulty whatsoever with section 5, which indicates that the assessment on pipelines will be reassessed with the general reassessment; it makes sense to me. Administrative efficiency and consistency there seem to be good arguments.

I want to get back subsections 2(1) and 2(2). Those are the subsections that deal with the taxation of structures. In this section, I understand the minister is trying to tax those things that really are structures as opposed to those things that are machinery. That relates to the problems I just talked about with the amusement rides.

Have the ministry officials worked out and can they make public their definitions of "structure" and "machinery"? I have read the bill fairly carefully and admit frankly that I am not clear in my own mind on that. It would be useful if that could be brought forward, at least for thought on second reading, and certainly during the hearings and in the clause-by-clause discussion.

I understand one of the things the Treasurer is trying to do in subsections 2(1) and 2(2) is to stem an erosion of municipal property revenues, which in the ministry's information could reach \$1.92 million per year. That is a substantial amount that would be withdrawn from the municipalities if the snowball effect takes place.

15:40

Those are the comments I have on second reading. Those are some of the concerns we have as a party. We understand that what the Treasurer and Minister of Revenue is trying to do in terms of the principle is to make the taxation system fairer for the municipal level. We note some slight inconsistency in that, but we are prepared to be persuaded. On second reading, we will be voting for the bill.

Hon. Mr. Nixon: I appreciate the comments by the honourable member. It is my thought that the bill might go to a standing committee so that

people with specific concerns can give us their suggestions. If the clarity of the sections can be improved, we are quite prepared to look at proposals.

I was persuaded to go with at least one of the sections when the council of Etobicoke came in and said that because of the Supreme Court decision on the Caisse Populaire de Hearst, the Ontario Jockey Club had said, "That applies to us as well; we are nonprofit," and the courts exempted the club on that basis. Etobicoke said, "We cannot afford to lose that assessment, amounting to many hundreds of thousands of dollars." As the member pointed out, it is more than \$3 million in the communities associated with racing. It is obvious that had to be corrected.

The amendment clarifying business as more than nonprofit or profit-making is, in my view, best carried forward through the assessment program policy manual. We have tried to make an amendment that puts in all the possibilities. We have even suggested we might say that everybody is exempted except these people, including the stock exchange and so on. We found that was not the kind of general legislation I wanted to put forward, although in the long run that may be the best solution.

However, we feel it should be acceptable that these amendments, backed up by statements in the publicly available assessment program policy manual, should make it fair and understandable for all. This is not an assessment or tax grab. It is an effort to maintain fairness and equity, and it is supported by the Association of Municipalities of Ontario, except for the exemption on the amusement rides.

The Deputy Speaker: Thank you. Are there any comments or questions?

Mr. Ashe: We have to put one thing on the record to start. I am sure it was maybe a slip of the tongue by the Treasurer when he seemed to indicate that it was his great revelation and his great thinking that were going to suggest that this bill should go to a standing committee. I am sure the Treasurer will be magnanimous enough to recognize publicly that it was this party which has insisted that this bill should go to committee so that enterprisers out there would have the opportunity to express their views, which cannot be done directly here except through members. That procedure is more than appropriate in this case.

When we rise to speak on an amendment to the Assessment Act, it opens up an interesting area. There is no doubt that everything in this bill impacts on assessment here and there throughout

the province. Thinking of it in that vein gives me a little opportunity to discuss some rather specific areas of assessment anomalies within the city of Toronto and the Metropolitan Toronto area. There are places within this municipality that would be affected by section 1, the definition of business, by subsection 2(1) and so on. I think the latitude is here on second reading in that regard.

The Treasurer has his Minister of Revenue hat on today. When we talked a few days ago—I guess it was only yesterday; it just seems a few days ago—he had on a different hat as Treasurer and Minister of Economics.

Hon. Mr. Nixon: Time flies when you are having fun.

Mr. Ashe: That is true. When you are having fun, it just flies by. That is why it seems like a week instead of only a day. It is a kind of reverse psychology, I suppose.

One of the things I would like to draw to the attention of the Minister of Revenue is that shortly after coming to office in a roundabout, devious way some 18 months ago, he appointed his parliamentary assistant and a bunch of other people to look into some of the assessment problems and to make a report, which was duly done.

It may have been in one of the utterings that was not too well thought out at the time, but it seems to me the Minister of Revenue indicated, when the question was posed about the anomalies, the inconsistencies and the unfairness to a majority of taxpayers within Metropolitan Toronto—I will paraphrase him, but if he wants his exact quote I am sure I can dig it out for him—"If they do not do it"—"they" being Metropolitan Toronto—"I will do it for them."

In some of the pronouncements I have heard from him in the past few weeks, as the dialogue and the buck-passing have gone back and forth between the Metropolitan Toronto council and the Minister of Revenue, it seems to me he has backed down somewhat from that commitment. I realize it may have been politically prudent to back down from it. Some of us have had that problem before, and I am prepared to acknowledge that, as I have in other situations.

I would like to hear the minister, at the appropriate time a little later on, try to put those two different points of view into a similar perspective, so I could see them the way he has seen them.

In the meantime, we know a majority of the people in Metropolitan Toronto are overpaying their property taxes for the benefit of the

minority. Unfortunately, as the minister has identified on more than one occasion in the past few days when answering questions from my colleagues, that is why the house-by-house study was not put on the record. I acknowledge and agree with him that it would be an impossibility to do so. The reason is that he knows and I know, but unfortunately the majority of the taxpayers do not know, they are overpaying.

The minister has an onerous responsibility to bite the bullet, if he is allowed to by his cabinet colleagues. If the Metropolitan Toronto council does not want to own up to the overcharging of all those people and if the city of Toronto wants to keep balancing that ball, trying to sit on the fence and be all things to all people and have it every which way, he should bite the bullet and bring some fairness and equity by pointing out what the Metropolitan Toronto council or the Toronto council or the Scarborough council can do based on the present legislation, which is to phase in things and look at other avenues of taking care of some of the problems that no doubt will be created for some people in a financial sense.

I suggest the property tax assessment system being bastardized does not take care of legitimate concerns in any way. The minister will have to take care of them in the proper way, not through the system itself but through other means of taking care of those who have financial needs that cannot be met from their own sources of income.

Getting back to the contents of Bill 131 in a more specific way, we support the principle of what the bill is trying to accomplish. Frankly, I think the minister has done a very poor job on the bill, which is why we have insisted that it go to a standing committee, so that many legitimate concerns can be brought before him. Knowing some of the people within that section of the ministry, I hope and trust that by the time the committee hearings are begun, some reasonable amendments will have been put forth by the government to clarify the intent of the bill.

15:50

That is extremely important. The intent of the bill is laudable. We have to protect the tax base of the municipalities. If we do not protect the tax base in the industrial, commercial and business sectors, we all know where that tax loss goes—on the residential taxpayer. We cannot support that, just as the government cannot support it. The intent of the bill is fine, with the exception that has already been pointed out of the amusement-ride exemption, which seems a little inconsistent, but I personally have no problem with that

principle. Similarly, the pipeline change seems crazy with those kinds of updates.

On the bill and its intent, which is to stop that erosion, that is fine. Unfortunately, we all know that within the policy manual—and I was there when the policy manual that is currently used was put in place by the excellent staff in that half of the ministry, including the assistant deputy minister, Mr. Lettner. The minister and legal counsel will agree that if a case goes to court—and there is no doubt that the implementation of this bill is not going to stop or reduce the number of cases that are going to go to the courts, whether it be the Assessment Review Board or a higher court—it is going to be increased. I am sure that for those who are trying to use the law in their favour, the judge or the hearing officer is not going to be leaning towards what the policy manual is suggesting and guiding; he is going to go by what is in the legislation passed by this Legislature. That is an extremely important difference that will have to be thrashed out within the committee when it hears some legitimate concerns from businesses.

We have heard, as I know the minister has heard, from many significant businesses in this province. I am relating to subsection 2(1) of the bill as to what is going to be included in that all-encompassing “buildings and structures” et al. The problem is that in the interpretation and the legal advice many of these large firms are receiving, the “et al” could be everything. Again, I understand and accept that is not the intent and that is not what the policy manual says, but it is not clear enough within this legislation. We have heard from the Canadian Portland Cement Association, Nabisco Brands, Molson Breweries and Dofasco Inc., some of which have no particular axe to grind at this time and which have not been companies that have tried to get their assessments lowered and in effect to avoid taxation.

All we are talking about is making sure the intent of the bill and the legislation is comprehensive and clear enough that it maintains the status quo before some of these exemptions were derived from the court system because of appeals that the ministry lost. That is the route to go. That is what the minister is trying to do. I do not think this bill does it. The words in the bill have to be somewhat closer to the intent as contained within the policy manual that guides the assessors out in the field and that will ultimately guide the courts in any decision that is made.

With the opportunity before a standing committee of this Legislature, I am sure the minister

will be hearing this over and over. If he wishes, I am sure there can be many suggested amendments that may provide some guidance to him if he does not already have them in his hip pocket. Frankly, if he does not come forward with them, we will. I am sure the party on the left will look very carefully at the intent of the reasoned amendments that will come forth. I hope it will support them and put forth an amendment to the Assessment Act that will be helpful not only in the short term but also in the long term.

There is one other area, and I realize other speakers have spoken on this issue before; it is the new definition of “business” contained herein. The minister has the same problem here that he has in the buildings and structures section, subsection 2(1) of the bill. Once again, under the definition in here, everything that is perceived to be nonprofit but in competition, even the agencies of good to the community, will be deemed by anybody else wanting to use them as an example. That is the key. They are not going to appeal a nonassessment; I can appreciate and accept that, although there is no doubt from the wording of the bill that the assessment policy could change tomorrow. That is not the government’s intent now, but it could be different tomorrow.

What I am concerned about is that there are some other organizations that have in their view a similar purpose, that have in their view a similar status and would use that definition in a court, an appeal court or a higher court of law to suggest they belong in the same category, etc.

The minister has some real problems there. Although I can appreciate what he acknowledged when responding to the previous speaker, that he might have some concerns in identifying a particular named group, such as the Toronto Stock Exchange, the Ontario Jockey Club and so on—and I am sure none of us has any great pity for those agencies; they should be paying business taxes, and we are not opposing that—I do not think the definition in there right now takes care of all the situations. It is possible it will have to go into describing, for example, what is not a business. I appreciate this is a negative way of approaching it, and it may be deemed not to be very practical legally, but with the legal minds that are available to the minister, I suggest a practical solution can come forward.

I think the minister has excellent intent in this legislation. We do have to protect the tax base of municipalities, whether it be in the industrial, commercial or business tax sector, for the benefit of the residential home owner. For that we give

him full support. Unfortunately, he is trying to do it in a flawed way, and I hope that between now and the time the standing committee deals with the bill and hears public representations, he will have had much opportunity to mull over and look at the other ways of clarifying the intent.

Again, I laud the minister and the ministry for the intent in this bill. We will be supporting it, and of course we will want it to go to a standing committee for hearings.

Hon. Mr. Nixon: The honourable member has made an extremely useful contribution. I appreciate his support, at least of the principle of the bill, which is what we are debating now. I have already indicated my own concern with the wording in the attempt to achieve that principle. Specifically, the alternative to the definition of "business" might have been to add a section saying, "Whatever the courts say or the lawyers argue, the following businesses are going to be assessable for business tax, and that is that." We may have to do that; it may be the only way to do it.

The former minister's suggestion that we try to define what is not included is sort of backing into the difficulty and would just create another bonanza for the people who have made themselves wealthy on the basis of our attempts in this House over the years to have some clear definition of assessment and business tax.

I have a feeling that even our best efforts may not accomplish perfection, but the honourable member did say that if we could not do it, he and his colleagues would do it for us or assist us. Cutting down the rhetoric a little bit, I invite him, his colleagues and honourable members everywhere in this House to assist us in this wording. If they have concrete suggestions, I know they will bring them forward to the committee, where we can look at them, but as soon as we can get them, we can give them consideration.

I am in no way wedded to these words, but I am committed to the principle, along with the honourable member. I believe appropriate work, with the kind of assistance that is available to us, will give us a bill that is workable. In looking at the alternatives, my view is that this is the best, along with the assessment manual that the honourable member created or was present at the creation of. I believe that with good intentions on all sides, we can create wording that will stick in spite of the best efforts of those who would strike us down.

Mr. Ashe: I appreciate the response by the minister. Let me reiterate that I guess it was taken as a threat, and I did not mean it in that context.

What I was saying was that I am sure the minister, his deputy, his assistant deputy and others already have some thoughts or already have been given some suggestions as to how these sections can more properly portray the intent they now carry.

I would rather see the minister bring them forward than have us try to take credit for them. That is not the purpose here. We all have the same ultimate purpose, which is to come forward with legislation that is fair and defensible, not only now but also in a court situation in the future. That is the only context I was putting it into.

16:00

Mr. Breagh: I want to get on the record this afternoon some objections that have been raised with me and other members by the Association of Municipalities of Ontario. It is something like the situation with the two opposition parties. We do not have a great problem with the principles in the bill, but some of the mechanics are bothersome. We hope that when the bill goes out for public hearings, there will be an opportunity for groups such as this association to raise their objections.

I want to categorize AMO's objections to the bill basically in the three sections where it has noted some problems it thinks will occur. The first is in the area of attempting to implement the provincial view that machinery is basically machinery and will be taxed that way and to look at the effects of that when one deals with such things as amusement parks. It is a complicated piece of business, perhaps more complicated than it should be.

In attempting to look at amusement parks, what is a permanent piece of machinery and what is a movable piece of machinery? Is there any real difference? It occurs to me and to many of us that in a number of municipalities, attempts have been under way to bring in amusement parks or some kind of local development. Almost as an afterthought, people start to think about whether it is a good thing or a bad thing in terms of assessment. It turns out to be not quite as good a ride as people originally thought. There seems to be some problem around the edges when you get to taxation.

I note AMO has brought to the attention of the minister that it thinks there are some problems with that section of the act; so do I. One of the difficulties may simply be that in developing amusement parks around Ontario, they are often touted as being big revenue boosters and sources of jobs. The sad part is that, after the fact, we

often find there are not a great many permanent jobs attached to them. Often the jobs are not much more than temporary jobs at the minimum wage. The assessment on these properties is not quite the same as on a new Suzuki plant or, better yet, a new General Motors plant. We are beginning to have some understanding that maybe these things are not quite the great boom they were initially thought to be.

I want to caution the minister that several municipalities are having difficulties with this section of the act. I want to draw his attention to those difficulties and, I hope, get his commitment that when we do go to public hearings he will attempt to listen to the municipalities and to resolve the problem.

Part of the problem is the process here. The process is that people in and around the Legislative Building and in the minister's office redraft definitions; they have an impact on our municipalities. Through their organization, the municipalities try to make a centralized position known to the minister, but there is not a lot of negotiating back and forth in a direct way. That perhaps is part of the problem that the minister ought to look at.

The second area they look at is essentially a proposal to offer grants in lieu of lost assessment. Over the years, many of us have expressed some unhappiness with this process. I note that again today the Minister of Municipal Affairs (Mr. Grandmaître) rose to announce a wonderful new program, whereby in a slightly different vein, grants in lieu of taxes are being upped for the first time since 1973.

Although it sounds like a quid pro quo, whereby we will give a grant instead of getting taxes, I have some uneasiness about that technique. I have an uneasy awareness that often the level of the grant is set for one year and then forgotten about for several years before an adjustment is made. In its letter to the ministry, AMO reiterates that it would like some assurances that the municipalities affected will not lose actual cash. That is their concern. If the grant in lieu of taxes is designed to be a straight replacement of tax revenue, then surely it should not be difficult to see that this straight replacement is in actual dollars. In order that we do not start with this year's level of taxes that would have been charged and replace that with an equal dollar grant, can we do something that will provide next year's level as being accurate?

Most of these municipalities are aware that in dealings with the previous government—not that this government would be so evil in its intentions

subsequently—there was a disturbing tendency in the first year of something such as this to be a little more generous and afterwards to simply forget about it. So what looked like a reasonable proposition in terms of assessing whether you won or lost revenue on something such as this, in the first year often looked better than it should have, but in the second, third, fourth and fifth years and thereafter it looked worse than it should have.

Municipalities are getting a little wiser than perhaps they once were in assessing very carefully what is meant by grants in lieu of taxes and whether there will be an annual adjustment to see that it actually does what it purports to do in the first instance; that is, to ensure that municipalities involved do not suffer at their tax base because of the initiatives of the government.

There are one or two other areas where they have brought problems to our attention. One is similar; it has to do with racetracks. Again, as with amusement parks, this is something that in many of our municipalities, particularly in rural areas, is generally seen to be good for the reason that somebody is doing something in the municipality; there is some form of development coming into the area. Generally, it is true that there are some jobs and some assessment associated with it. But again, after a year or so, people start to read the fine print and begin to make the analysis as to whether the taxation rates are fair and reasonable. In other words, why should someone who runs something such as a racetrack pay less or more in business tax than someone who runs any other kind of business?

That is an interesting question, and the bill attempts to resolve it. Those municipalities that are involved point out that perhaps it is not exactly fair; so the association drew these matters to the minister's attention. I think it is not unfair to categorize them as being generally supportive of what is going on. They understand there is some trading of one thing for another. On balance, by and large, they are prepared to accept that, with some amendment. We hope the public hearing process will offer an opportunity where those things can be done.

I want to reiterate that this whole vexing problem of assessment and taxation is perhaps a good deal more complicated than any of us really want it to be. What AMO points out in its letter is that it does have some very practical problems with it. The difficulty will probably come about in municipalities where even a slight change, such as the one being proposed in this bill, will have a rather dramatic impact on the tax base.

In short, if this were done in Metropolitan Toronto, without question there would be adjustments all over the place. There is a large tax base to draw from, and changes of this nature, even if they were unfair, could be handled in a much easier way than in many of our rural municipalities where the racetrack, the amusement park or the distillery storage tank is one of the major players in their tax base.

I caution the minister to be friendly to those amendments that are being proposed by AMO and others, when the bill does go to public hearings, and to be mindful that although it may appear to him to be a simple adjustment of the assessment base, for many of those municipalities it is more than that. This is a major problem for them.

In fairness, I know the minister is moving to provide grants for lost assessment here, which probably looks okay for now. But those municipalities directly impacted by this bill are asking, quite rightly, to see the exact numbers for this year and for the foreseeable future. They need to know that detail, because it is crucial for them in trying to plan their deliberations around assessment for other inhabitants in their municipalities and in trying to plan successfully for budgeting purposes.

16:10

With those few cautions, we are prepared to let this bill go out for a brief period of public hearings, but it is a critical period. AMO has raised what I consider to be valid problems that have to be resolved. I do not think it will be impossible to resolve them, but it will require some sensitivity on the part of the minister. He is a very sensitive soul most days; so I hope he will go to the public hearings in good faith, recognizing that these are problems to be resolved within this bill and that they will be resolved.

Hon. Mr. Nixon: In most cases, the municipalities that are going to have a decrease in assessment if these amendments become law will have part of the money made up through general legislative grants for educational purposes and annual resource equalization grants for some of the rest. There will be additional phasing-in grants, which will not last for ever but which will phase in the reduction in assessment.

We have heard from one or two townships, such as the township of Malden, which has within its precincts Bob-Lo amusement area in the Detroit River. The member for Essex South (Mr. Mancini) has raised this matter with me on a number of occasions. I am not sure he is fully satisfied, but he has raised the problem. We do

not want to make more problems than we are trying to solve.

Mr. Breaugh: In his brief reply, the Minister of Revenue has put his finger on what causes so many problems out there in municipalities, where it looks as though there is a grant to offset a tax loss. Then the minister reads the fine print, which says a chunk of the grant comes over here and another chunk over there and part of it lasts one year and the rest of it drops off. That is what makes the municipalities nervous and gets them all excited.

What they would like is a little straight talk. If the minister is going to take away the assessment here, he should tell them where they will get their income for the foreseeable future. To be blunt about it, their problem does not go away a year from now; the problem remains. This has altered their assessment base not just for this year. If that were the case, a one-time grant would solve the problem.

The difficulty is that the minister has taken away their assessment base. It may not appear to be a large change to ministry staff here, but in the municipalities it is deemed to be the mother lode. Their tax base is being messed with. They get very unhappy, and rightly so, when they are given the kind of a response: "Here is a little bit here, here is a little bit there and here is the other part of it. It will last for one year. After that, you are on your own." That makes those municipalities very nervous.

What makes them even more nervous is that they have dealt with a government that for years now has pulled this same stunt on them. It has sweetened the pot in the first year and told them the bad news in year 5. It is no wonder that they are gun-shy, anxious and worried about that kind of approach. It is unfair.

Mr. D. S. Cooke: Very briefly, I want to follow up on the concern that was expressed by my colleague the member for Oshawa (Mr. Breaugh).

Mr. Runciman: Point of order, Mr. Speaker.

The Acting Speaker (Mr. Morin): Yes, I see the point of order. The member for Durham-York.

Mr. D. S. Cooke: I was only going to take 30 seconds.

The Acting Speaker: You will have your chance afterwards.

Mr. Stevenson: Thank you, Mr. Speaker. I was not sure where the rotation was. I will be very brief. I am quite pleased the Treasurer has agreed to let this bill go to standing committee.

Very clearly, there is considerable confusion in the agriculture and food industry on exactly what this bill will do to various organizations in the industry.

The first contact I had with a group wanting considerable clarification was with some of the fruit and vegetable co-operatives, and quite rightly so. They have a considerable concern over the bill. We need a forum other than this one to discuss what the impact really is on those organizations.

Since those people contacted us, we have heard from other food processors, from the breweries and from various other companies involved in the agriculture and food business. It is important that we get clarification and make sure we understand what their concerns are and that we get the Treasurer's opinion and possibly legal opinion on where they stand as a result of this bill.

I bring to the attention of the Treasurer another tax situation that did get into a previous budget, through quite an honest oversight by the Treasurer of the time. It has caused some unfortunate circumstances in the agricultural industry, and it is all the more reason for bringing Bill 131 to a standing committee so that the same sort of thing does not happen with it.

I refer specifically to the corporation capital tax. I am sure the Treasurer has had this brought to his attention in the past. It is a tax on inventory. It is having a severe impact on some of the larger farm machinery dealerships across the province. Again, at the time it was brought in, I am sure there was no intention of it impacting on those agencies the way it has, and certainly at a time when farm machinery is particularly difficult to sell.

These companies are having a hard enough time as it is and now they are faced with an inventory tax, which is no indication of turnover, revenue, profit or ability to pay the tax. However, these farm machinery businesses are being hit by this tax, which is much out of line with car dealerships or any other business that is subject to the same tax. If those companies survive and continue to sell farm machinery, the farmers have to pay that tax indirectly.

Right now, the agricultural industry needs the revenue left in its pockets instead of sending it off to government. I can assure the Treasurer that the agricultural machinery companies and the farmers of Ontario most certainly are not having the economic windfall he and his government are having right now. Although it is slightly off topic here, I ask him to have a look at that tax and

consider altering it in his next budget, if not before.

As I started out to say, when that tax was brought in, I am absolutely sure it was not intended to have the impact it is having. Therefore, I strongly support our demand that Bill 131 go to committee, and I thank the Treasurer for agreeing that it go to standing committee.

I hope the co-ops and various processors in the agriculture and food industry will have an opportunity to come in, air their concerns and get some clarification and suitable understanding of the impact of Bill 131. I hope their concerns can be minimized and any misunderstandings cleared up.

16:20

As I finish, I again ask that the Treasurer have a look at that corporation capital tax and try to get that rectified.

Hon. Mr. Nixon: I want to acknowledge the comment the honourable member made about the corporation capital tax as it applies to farm machinery inventories and dealers.

We have had a look at it and decided not to make a change, but I am certainly continuing my review. I have had other indications from farm dealers whom I know personally, and they are deeply concerned about that. It seems there is some inequity.

The Acting Speaker: Are there any more questions or comments? Does the member for Durham-York (Mr. Stevenson) wish to comment further?

Mr. Stevenson: No. I thank the Treasurer for his comments and hope he will deal positively with that other issue.

Mr. D. S. Cooke: I will be very brief. I want to refer specifically to the problem in Malden township and to the exemption that is being granted by the Treasurer for amusement parks. This represents an entire mill of income for this township, without any real beneficial effects to the town of Amherstburg or the township of Malden from the existence of this amusement park facility.

People who access this park come to it along the Detroit River in a boat, so they do not travel through Essex county and spend their money; therefore, there is no economic benefit for the community. Any profits from the park itself go outside the country because the park is foreign-owned; therefore, there is no wealth that is redistributed in the community or in the region.

The response to this point from the Treasurer and from the local member has been less than adequate. The township is simply not satisfied that this lost revenue is going to be made up through grants. In fact, the Treasurer today confirmed the township's worst fears in that there will be some grant in lieu of this lost assessment, but some of it will be phased out as well. Thus, the tax loophole or exemption created by this government is going to mean more taxation is going to be put on the shoulders of a very small township. There will be no economic benefit whatsoever of having this amusement park located in Malden township.

I suggest to the Treasurer that rather than looking at amendments to legislation to benefit places such as Niagara—we know this amendment was brought in specifically to deal with problems in the Niagara Peninsula—there should be proper grants in lieu of this assessment being provided to guarantee there will be no loss whatsoever to communities such as Malden.

There is a unique circumstance in this case that has not been adequately addressed by the Treasurer or by the local member, who constantly tells the local politicians that everything is in hand.

The Treasurer wrote me a letter back, which I think I received yesterday, where he simply says they have examined the problem and that he feels a satisfactory solution has been arrived at. I want to inform the Treasurer that the community does not feel there has been an adequate solution arrived at.

The Treasurer had better get back to the books to see whether he can satisfy the concerns of this community. The taxpayers of this community are simply not going to be subsidizing a foreign-owned corporation with no economic benefit at all to the residents of Malden township.

Ms. Bryden: As my colleague the member for Port Arthur (Mr. Foulds) said in his opening remarks, we support this bill because it appears to close some loopholes resulting from court decisions that have produced an erosion of municipal revenues from business tax, and this is an objective we agree with. However, we feel the legislation is not clearly enough worded to make sure that the definition of a nonprofit organization would differentiate between an organization that the courts have said is nonprofit, namely, the Ontario Jockey Club, and a credit union or a food co-op that was set up to engage in filling a gap in our social system and whose commercial activities are only a part of the operation.

As my colleague said, while we will support it on second reading, we would like to look at the possibility of clarifying the definitions of "business" and "nonprofit" to make clear that we are trying to tax organizations, whether they are described as nonprofit or not, that engage in commercial activities as their main purpose, and not organizations that were set up by groups of residents or citizens, co-ops, golf clubs and the like, and whose principal purpose is to fill a gap in services in the community.

While we commend the Treasurer for closing those loopholes, we think he should be very careful about what he is exempting. Of course, we also hope that when he has decided to exempt certain amusement rides, he will make up for the loss of revenue by suitable grants to the municipalities affected.

We realize that any exemption from the business tax is a cost not to the province but to municipal taxpayers. It is the municipality that has to make up the revenue from other taxpayers; therefore, we must be very cautious in permitting exemptions from business tax.

The Ontario Jockey Club succeeded under the present law in convincing the Supreme Court of Ontario that it was a nonprofit organization. This indicates the present law is very weak in this sense. I fail to see how anybody could consider a huge sports operation operating racing tracks in four municipalities as nonprofit. The legislation must be tight enough to make it clear that something called the Ontario Jockey Club is a business organization like any other corporation, and not a group of horse owners and racetrack operators who do it as a hobby. It should not be exempted from paying ordinary business taxes.

I fail to see how its nonprofit status is clarified by the recent decision of the Ontario Racing Commission, which has said it would approve Sunday racing at Greenwood Race Track for the Ontario Jockey Club because it needs the revenue and because it needs to maintain its employees and to support the industry.

16:30

Why should a nonprofit organization need to expand at the expense of the community, which will lose hundreds of thousands of dollars in the loss of its quality of life, the value of its property and the congestion on its streets? The municipal corporation will have additional costs too. The municipality of Metropolitan Toronto will have additional costs from Sunday racing and policing. The city of Toronto will have additional costs from Sunday racing in controlling traffic,

providing additional garbage collection and things of that sort.

We must be very careful to see that the Ontario Jockey Club is not given any bonus through a weak definition in this bill that would permit it to be considered a nonprofit corporation and therefore free of business tax.

The decision of the Ontario Racing Commission will allow the Ontario Jockey Club to make another \$200,000 just from Sunday racing at Greenwood. We should set this off against the losses to the residents and the community from the additional congestion on their streets and the additional services that must be supplied. I hope the Treasurer will see that is not allowed.

An agency of this government has so far approved this extra \$200,000, and it approved it in the context that the Ontario Jockey Club was not subject to business tax. It is time we stopped adding one bonanza after another to a commercial organization. This government has allowed this situation to continue for more than a year since it came into power. It has maintained the previous Conservative government's subsidies to the Ontario Jockey Club. It has maintained a close relationship with the Ontario Jockey Club in allowing it to get away with being considered a nonprofit organization. I hope that this legislation will end that cosy relationship and that the law will be clarified enough so that no further subsidies will be given to the jockey club.

One of the earlier speakers mentioned that the present tax exemption, which was allowed through the court decision for the Ontario Jockey Club, amounts to a \$3.1-million loss to municipalities in Metropolitan Toronto. Any continuation of the weak legislation we now have would add further to that tremendous loss. We will not get back that money we have lost in the past, which is another reason for making sure that, in the future, the Ontario Jockey Club is regarded for what it is: a strictly commercial-oriented activity.

Since the club is regulated by this province, it should take into account the impact of its commercial decisions on the residents and its cost to them. In the past, there has been a cost to them as taxpayers because of the court ruling. In the future, there will be a cost to them for allowing Sunday racing because of the increased activity on their arterial streets, in their neighbourhood and in their community.

I hope the government will also take responsibility for amending the Racing Commission Act to supplement this bill, to see that the rights and interests of the residents in the neighbourhood

and in the community are also considered by legislation of this province.

Mr. Taylor: From what I have heard, there seems to be very little objection to the bill in principle, if I may be so bold as to express that view. It is a matter of trying to preserve a tax base for the local municipalities. In so far as one forecloses the exemptions, then one ensures a stronger tax base for local municipalities. Fundamentally, if one is going to ensure a strong system of local self-rule in this province, it is important to ensure a strong tax base. I think the Treasurer will agree with me on that. In so far as legislation fortifies and strengthens that tax base, that legislation is directionally appropriate and should be supported.

I take my mind back, as I am sure the Treasurer does, to the rule of Leslie Frost. He may remember the 1950s, when Ontario, under the Frost regime of the day, introduced for the first time a provincial sales tax of three per cent. They called it the Frost bite. Some members may remember that.

What prompted that tax was a need for municipalities to finance themselves further because of the growing urbanization. We had a lot of residential development, and single-family homes just did not pay their way. The reason they did not was that the cost of education was so high, and that impacted adversely on single-family homes. One had to get into a very high-priced single-family home before the assessment on that home translated into a tax that was adequate to carry the cost of that residence.

Therefore, what was introduced then was a grant to municipalities that was to be attributable only to the residential assessment, which was very interesting. Again the Treasurer may recall this. What really developed was a split mill rate; there was a mill rate for the residential assessment, which was assisted by this special grant given by the province to be attributed only to the residential assessment, and then we had the regular moneys that had to be raised through commercial and industrial assessment at whatever the rate had to be. We had a mill rate for residential and a mill rate for industrial and commercial. That unconditional grant assisted the residential.

We saw a distortion of that. I think that distortion has been increasing with the evolution of the authority in terms of assessment in Ontario. Mr. Speaker, you will recall very well when the local municipality was responsible for the assessment within the municipality. They had a pretty good idea of assessment. In those days,

assessment was not at market value. The Assessment Act provided that a number of factors should be taken into consideration in determining assessment. As a matter of fact, there were five: present use, location, rental value, sale value and any other factor. Those were the five criteria used in determining what an appropriate assessment should be on a property.

Then the province, in its majesty, prompted the counties to assume the role of assessing the whole county. Again the Treasurer will remember that. We had a transfer of responsibility from the local municipality to the counties, and the province assisted the counties in terms of computerization and grants to encourage them to assess on a county basis. Of course, when assessment fell under the counties, it took very little for the province then to take over the role from the counties; so we ended up with provincial assessment. The responsibility for assessment rests with the government of Ontario.

16:40

In my view, it is important that the tax base of every municipality in this province be preserved and not chipped away by provincial government by legislating exemptions. In some municipalities, as the Treasurer knows, we have a lot of government land. In the riding of Prince Edward-Lennox, that veritable jewel nestled on the shores of Lake Ontario, we have a lot of park land. The Treasurer smiles. He is familiar with the majesty of that part of—

Hon. Mr. Nixon: I knew you when you lived in Scarborough.

Mr. Taylor: Yes, and the Treasurer's wife's family too, as a matter of fact.

Hon. Mr. Nixon: On farm land, all waiting to be developed.

Mr. Taylor: That is right; all it needed was development. I am not going to be distracted by the Treasurer, because I know he does not show on television and the viewers will wonder what is happening here in the repartee.

What I am pointing out is that it is important when you have land in local municipalities, especially provincial land, that this land generate taxes. All land in the province is assessed. Mr. Speaker, I do not have to point out to you that all land is assessed. Whether or not it is exempt from taxation, all land has to be assessed so that a value is attributed to that land. The rub comes when the land then has to be taxed and we have legislation that exempts it from taxation so that no mill rate is applied to the assessment that

determines what the taxes will be from that parcel of land.

We have hundreds or thousands of acres of parks in certain ridings in this province. Of course, the municipalities within which those lands are situated suffer because they are not generating a fair revenue from those lands. We have heard about the Ontario Jockey Club; we have heard about farmers' co-ops and so on. In my view, all land should be liable not only for assessment but also for taxation. If the local municipality wants to exempt that land from taxation, let it give a grant equivalent to what the tax would be. If it is provincial land, let the province give a grant. If the province says, "This property should be exempt," let the province give a grant to cover the amount that the land should raise in revenue for the local municipality.

Again, I am not particularly happy with the way the system of assessment has evolved from the municipality to the county and now to the province. A lot of inequities have developed. The change in the method of assessment from the definition I related earlier to the present one of market value has caused many problems, and we see the distortion with market value.

Mr. Speaker, I do not have to explain to you that once we exempt a commerce or an industry from taxation, then the load has to be transferred to the residential, so that we have a transfer of financial burden from one class of property to another once we start playing with the exemptions. That is why I feel we should be very careful in legislating exemptions. This legislation attempts to foreclose some of those exemptions that have been developed. In so far as it does that, it is good. All parties should support legislation that does that. I do not see very much wrong with the legislation.

Mr. Hayes: I speak in favour of the bill, except we do have a couple of reservations. I was glad to hear the Treasurer allude to the problem in Malden township. I too have received correspondence on that. As my colleague the member for Windsor-Riverside has mentioned, there is a serious problem there.

It should be put on the record that Malden township is a small rural municipality with a nil growth factor, since 30 per cent of its assessment and 40 per cent of its population were annexed by the town of Amherstburg on January 1, 1981.

I see the local member coming in now. I hope he will get up and support that township in his riding, but this is a very serious concern, regardless of the riding it affects. I am sure there

are other areas that would be affected in the same way.

My understanding is that in talking about amusement rides, this bill was really addressing the Niagara Falls region. This might help Niagara Falls, but it will have an adverse effect on Malden township. As my colleague the member for Windsor-Riverside mentioned, even the profit that is made on Bob-Lo Island goes to the United States; not even the profit is left in the township.

I will not go on for very long on this issue. As my colleague the member for Oshawa (Mr. Breaugh) mentioned, there is a large concern in many of the municipalities and in the Association of Municipalities of Ontario about the grants to make up the difference in the loss of assessment. I hope this issue can be dealt with in committee to allow municipalities such as the township of Malden to have some input. I hope the Treasurer will take note of this and make sure that after three years these people are not left out to dry without any compensation.

I also have a concern about the Tilbury Golf and Curling Club in the riding of Essex North. It is a nonprofit membership club that serves a population of approximately 10,000. The club's concern is that instead of being nonprofit, it will have to pay a business tax. Its assessment will be changed to commercial, and it will be subject to a 30 per cent business tax. The effect will be to increase its taxes by 60 per cent, or by about \$6,000. Right now it is paying approximately \$12,000. Because this is a nonprofit operation and a service to the community, I feel this is unfair and should be looked at. Bill 131 will have a detrimental effect on this golf and curling club and on many similar operations across Ontario.

I repeat, we agree with the principle of this bill, but I hope that those concerns are dealt with and that municipalities will know exactly what they can expect from the government as a result of their loss of assessment.

16:50

Mr. Sterling: I would like the Treasurer to answer a number of questions in the time given to him for reply. It is necessary to have a few basic questions answered so that when the bill goes into committee—and I understand the standing committee on general government will deal with this bill after Bill 71, the Non-Smokers' Protection Act—the committee will deal with it most expeditiously.

How does the bill affect agricultural fairs in Ontario? Does it increase their costs for property tax? In terms of agricultural fairs and small

co-operatives, such as the Forfar cheese factory in my colleague's riding of Leeds, is there any transition program or any kind of program the government might undertake to assist very small co-operatives which will be dramatically affected by the assessment changes proposed under this act?

Has a municipality the right to forgive taxes if it deems it in the best interests of the municipality to do so? My understanding is that a municipality does not have the right to forgive taxes unless it is to a nonprofit corporation as defined under the Charitable Institutions Act.

Last year I had to bring forward a private bill to allow the township of Osgoode to forgive the municipal taxes of Osgoode Care Centre, a nonprofit corporation, which it chose to do. Under this act or under any other legislation, will a municipality have that option? As a corollary to that question, can a municipality, if it cannot forgive the tax, grant to a nonprofit corporation a sum of money equal to the municipal tax it would normally pay?

Hon. Mr. Nixon: The member knows, I am sure, because it has been referred to a number of times, that the bill will be going to committee when questions are in order and answers from either the minister, if he knows, or from officials, if the minister does not know, can be readily available. We normally do not have a question-and-answer deal on second reading.

However, I can tell the member that agricultural fairs are not affected in any way by the legislation. Small co-ops like the Forfar cheese factory, which is famous for making some of the best cheese in Ontario, will continue to pay realty tax but will have no business tax and will be unaffected by the legislation.

Mr. Partington: I am pleased Bill 131 is being referred to committee. I want to make a couple of comments with respect to the bill as it is before us.

The referral to committee is essential because of several major changes that have been introduced, the most important of which is the elimination of the exemption from business tax for nonprofit corporations engaging in commercial activities in competition with business corporations or such corporations that promote the interest and profits of their members.

There are sections of the bill that will affect credit unions and caisses populaires in particular. In the Niagara area, Niagara-on-the-Lake in particular, there are many credit unions, three big ones in particular. The concern of the credit unions is that they are being placed on the same

footing as banks and trust companies, particularly under clause 4(1)(b), where the business assessment would be the same 75 per cent as that of banks.

I know from talking to representatives of credit unions that they accept that they should pay their fair share of taxes. However, I would point out that in the Niagara area we have a range of credit unions. Perhaps the earliest is the Niagara Credit Union Ltd., which was founded in 1944 by Abraham Regier, a grandfather of my wife. It is now the third-largest credit union in Ontario and the ninth largest in Canada, having 66,000 members in the Niagara region, 11 branches and assets of \$360 million. This is probably the largest and most business-oriented credit union in the Niagara area and it was founded in the town of Niagara-on-the-Lake many years ago, in 1944, to assist farmers who were having trouble obtaining credit from the then traditional institutions and who banded together to help each other.

We then have a credit union, the Family Savings and Credit Union (Niagara) Ltd., formerly the United Auto Workers Credit Union, which performs a very important service to the financial needs of the people of the greater St. Catharines area. That credit union, although active in the financial field, is probably somewhat less active than the Niagara Credit Union and certainly less so than the chartered banks and trust companies.

The St. Catharines Civic Employees Credit Union is another very large credit union in the area, albeit much less active in the community than both the Niagara Credit Union and the Family Savings and Credit Union. The civic employees credit union is mainly involved in lending money by way of mortgages to its members and receiving deposits from the members. Representatives of that credit union, I am sure, will be telling the committee that they too deserve to be treated differently from the banks and trust companies and should probably be given treatment different from that given the larger, more business-oriented credit unions.

I am pleased this matter will be going to committee so that the credit union movement can make its representations. I know the Treasurer has written to Credit Union Central of Ontario indicating that not all credit unions would be liable for tax and that guidelines would be sent out to regional assessment offices to determine credit unions that might be liable. I assume—to some degree I am sure—that further information will be afforded the committee so that the proper

determination of what is fair and what is equitable will be obtained.

Perhaps in passing, I could also note comments in a letter from Tom Kline, who represents various farm co-operatives, indicating that farming co-operatives will be hit hard by this act and urging his clients to make representations to a committee. Mr. Kline also pointed out in his letter that as he read the legislation, for example, if a service club operated a nonprofit corporation to provide housing for senior citizens, it now would be subject to business tax. This is another issue on which perhaps the public hearing will clarify, explain and satisfy everyone's concerns.

Those are my submissions.

17:00

Hon. Mr. Nixon: I appreciate the contributions made by a number of members to a rather interesting piece of legislation. Many members have indicated their desire that the bill go to committee and outside the House so that representations can be made.

I rather fear some incomplete information has circulated about the bill indicating that it is some sort of a tax grab on behalf of the municipalities and changes in the assessment are for that purpose. I can assure members and anyone else who is interested that is not the case. It is designed to remove inequities from assessment for realty purposes and for business tax, which have come into the general law, largely by way of court decision. We all believe in the rule of law, and courts have an important role to play in this connection and will continue to do so even when this piece of legislation is placed on the books in whatever form it finally achieves.

It is designed to correct some situations which were extremely detrimental to municipalities and the taxpayers within them. The inequities that were based on certain court decisions that might have appeared proper, and did appear proper in their own instances, have been expanded through various appeals until exemptions are being granted that provide serious inroads into the assessment base of the municipalities.

We hope the House will give this earnest consideration, as I know it will. I have said a number of times I have no proprietary, defensive attitude towards the wording in the various sections. We have reviewed alternatives, and these are the ones represented by the people who are knowledgeable in the field and who are accustomed to utilizing the assessment procedures, regulations and statutes in a fair and equitable way.

I appreciate that the House is supporting the bill in principle and I look forward to discussions in committee, which I hope will also be productive. I hope the bill will go forward to second reading and that it will then be referred to the standing committee on general government. The member for Dufferin-Simcoe (Mr. McCague) is the chairman. He has expressed not only willingness but also eagerness to deal with this matter.

The Deputy Speaker: All those in favour of second reading of the bill will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for standing committee on general government.

REPORT, STANDING COMMITTEE ON THE OMBUDSMAN (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the 13th report of the standing committee on the Ombudsman.

Hon. Mr. Nixon: In consultation with the House leaders of the other two parties and others, it has been decided that only a segment of this report should be debated, that being part IV(i). The clerks have advised me the most convenient way to do this would be for the report to be ordered by the House into committee of the whole, where that section could be reviewed and reported back to you, Mr. Speaker. That being the case, I ask everybody's full understanding and support.

Hon. Mr. Nixon moved that the 13th report of the standing committee on the Ombudsman be referred to committee of the whole House.

Motion agreed to.

House in committee of the whole.

Hon. Mr. Nixon: I suggest to the House that we consider part IV(i) of the recommendation.

Mr. Shymko: I would like to ask the House leader why he would pick only one recommendation of a number of recommendations listed, to the prejudice of other very important cases in the report. Why has this decision been made?

Is the House leader aware that he is setting a precedent whereby reports, instead of being debated in their entirety, are now being picked at random to be discussed on the whim of I do not know whom?

Hon. Mr. Nixon: If I may respond, the honourable member would know that the section referred to deals with the famous or infamous Rembrandt home construction difficulties that go back 14 years, that the Ombudsman has made specific recommendations for compensation for the original owners and that there was some thought that it was not fair to delay the specific debate and the possible repayment, if the House so decides.

There are a number of other matters in the report that have not been brought to the attention of the ministers of the crown responsible. However, this one has been, and it has been recommended to the three House leaders that it proceed without further delay. It is my understanding, among the three House leaders, that the report should be reviewed as it pertains to the Rembrandt matter.

My colleagues in the Ministry of Labour and other ministries dealing with some of the sections are not present, but the Minister of Consumer and Commercial Relations (Mr. Kwinter) is, and we would like to deal with that, with the permission of the House.

Mr. Shymko: I understand that this does not preclude continued debate on the other recommendations of the entire report at some later stage. I would like to have the House leader note the following, and this is the concern that has been expressed by all the members of the standing committee on the Ombudsman.

As a member of that committee, I believe these views are shared by all of us, namely, that in the presentation and the tabling of this report, the very first statement made by the entire committee is the following, and this report was tabled in the Legislature in December 1984, two years ago: "Regrettably, it has not been debated. Presently, it is not even being debated. Early reports of the select committee were not debated or adopted by the House. The omission prompted some governmental organizations to challenge the authority of the committee's recommendation.

"As the select committee," now the standing committee, "has observed in a number of its reports, failure by the Legislature to debate and, where appropriate, adopt such recommendations can only serve to undermine the effectiveness of the Ombudsman." This is what we are doing today.

"The work and effectiveness of the Ombudsman and the committee, particularly with respect to recommendation-denied cases"—and there are some very important recommendation-denied cases affecting injured workers—"would be

greatly diminished if organizations knew or believed that the committee reports would not be debated and/or adopted," as they are not fully debated today.

This is the first resolution and demand that this committee made of the government House leader and of all the House leaders and members of this Legislature: "That, accordingly, the committee recommends that the 12th report of the select committee on the Ombudsman, as well as the special report of the committee tabled on January 30, 1986, be debated and adopted by the Legislature at the earliest possible date."

Although we are now, through the agreement of all the House leaders, debating just one isolated recommendation, notwithstanding its importance, what we are doing today is perpetuating what the standing committee has begged him not to do, and that is to remain silent on other very important, equally important recommendations of this committee.

As far as I can read, item 56 in Orders and Notices says, "Resuming the adjourned debate on the motion for adoption of the recommendations contained in the 13th report of the standing committee on the Ombudsman." When this was printed, I believe the intention was to debate at some stage the entire report. My request, on behalf of all the committee, is not to delay any further the full debate on the entire report, that we allocate some time as early as possible to discuss the other recommendations. That is my concern.

17:10

I and other members of the committee are being prevented today from discussing other very pertinent and important issues affecting injured workers and people who have been denied a resolution. In one case, a person has waited for a resolution for seven years. For seven years, this injured worker has wanted this matter to be debated and his problem to be resolved, and we are pushing this aside, once again, because of giving priority to another concern. Discrimination against one victim is discrimination against all victims.

Mr. Philip: I have heard a lot of silly things in this House, but the arguments by the member who has been a member of the standing committee on the Ombudsman for some time is about the silliest I have heard. It is quite normal to go into committee of the whole House and to deal with one item after another in a report of the Ombudsman's committee. The time happens to be 5:11 p.m., and it is fairly obvious that we are not going to get around to all the items in this

report. All the member's House leader and the other two House leaders agreed to is that—

Mr. Shymko: And yours.

Mr. Philip: I said the other two House leaders, if the member would be polite enough to listen to me. I listened to him. All his House leader agreed to is that there were certain home owners out there who wanted to be reimbursed. They have been waiting for a long time, thanks to the intransigence of the previous government in not keeping the promise of the former Minister of Consumer and Commercial Relations. They want to be reimbursed, and we can deal with that this afternoon.

As for not dealing with other parts of the report, one of the areas for which we have been pushing for some time that is contained in this report and that will not be dealt with today, but I hope will be dealt with soon, is the special report that was on the motion of the late Jim Renwick. His motion dealt with the right and the obligation of the Ombudsman's committee to deal with certain civil rights, certain infringements of human rights by certain countries.

It was the member's party that refused to have that come forward and be debated in the House. When the member for High Park-Swansea (Mr. Shymko) stands up here and is so self-righteous and attacks his own House leader and the other two House leaders because we want to do something for a few home owners, I find that kind of self-righteousness to be not only ill-informed but in bad taste. I suggest we get on now with the debate on the Rembrandt Home Owners' Association matter.

Mr. Shymko: When statements of silliness are levelled against a member, that may be parliamentary language, but I am really disturbed at it in a committee which since its creation as a select committee and at present as a standing committee has always worked in a nonpartisan fashion. We have never had any partisan type of eloquence, if I can refer to the remarks of my honourable colleague. It is insulting for someone to imply that because a special report on human rights failed to be debated in the last session of this Legislature, that was in some way a reflection on the member for High Park-Swansea, when the member knows very well how hard all members, including myself, worked to have that debate. He knows my position very well. I criticized the reason why it was not debated, even in public. I can quote the *Globe and Mail*.

For the member to insinuate some form of collusion over the fact that the special report was

not debated is insulting to my integrity as a member of this Legislature. It is unfortunate that we have to lower ourselves to the degree of insinuation which was made by my colleague, who knows very well my position on that special report on human rights and how hard I fought the then House leader—

Mr. Breaght: Of your own party.

Mr. Shymko: —of my own party to have that special report debated. I do not have to listen to insulting remarks from the member for Etobicoke (Mr. Philip).

Furthermore, the member pretends to be concerned about the workers of Ontario, yet makes insinuations when I raise the recommendation-denied workers' compensation cases. I refer to one that has been around for seven years. This injured worker is suffering from a liver disease because of poisoning from a number of chemicals. If the member does not feel this is as important an issue as the Housing and Urban Development Association of Canada and some other recommendations, I challenge him on that. I challenge him on another recommendation-denied case of the Workers' Compensation Board related to compensation on the basis of aggravation of pre-existing degenerative problems.

I refer to many important issues here. If he insinuates that one is silly because one raises the problem of the importance of debating the entire report as urgently and early as possible, I do not know what silliness is.

Mr. Philip: I do not want to prolong the debate on this because it would simply give credibility to the nonsense the member for High Park-Swansea implies.

The fact is, it was the Conservative House leader who did not want the human rights issue to come forward because he could not control it. He wanted it to come forward only if it were the government that was referring a matter to the committee. That was the problem and that is why we have not dealt before with the major part of this report. The member for High Park-Swansea can say he had other views. I am sorry he has so little influence on his party and his caucus that he could not persuade his party otherwise when it was the government.

He suggests that somehow I do not care about workers. There are workers in these homes who were ripped off by the Conservative government. That is what we want to deal with. Let us reimburse them.

Hon. Mr. Nixon: If I may intrude in this, I regret to inform the committee that the Minister

of Consumer and Commercial Relations has been called to another meeting. However, our colleague the member for Mississauga North (Mr. Offer) is prepared to speak for him in the matter of Rembrandt homes. With the permission of all members of the House, I would like to proceed with that segment.

I would also like to tell the honourable members that we have requested the Honourable the Lieutenant Governor to attend at 5:50 p.m. to give royal assent to a number of bills that have had third reading and perhaps to two or three others that may have third reading between 5:45 p.m. and 5:50 p.m., if members get my meaning.

The Deputy Chairman: The Treasurer has suggested that at this time the committee consider only part IV(i). Is there consent?

Agreed to.

Mr. Shymko: If that is the agreement, then I guess I have no choice but to follow that. Nevertheless, I want to reiterate the concern I have expressed that at some future date we debate the report. I think I have made my point and I will now refer to one of the recommendations.

The recommendation referred for debate today goes back a number of years, as all honourable members are aware. It started in 1971 and 1973 when these homes were being built by a particular builder and purchased as a subdivision in Metropolitan Toronto.

To be brief, so that I may allow my colleague from Etobicoke the opportunity to address this issue, I will simply focus on the recommendations made by the Ombudsman.

Having seriously looked at the issue and at the statements that were made publicly by the then Minister of Consumer and Commercial Relations, Frank Drea, the Ombudsman was impressed by one fundamental problem. There was an unequivocal promise of assistance to these home owners whose homes were faulty to the degree that some had to pay as much as almost half the cost of the homes to repair roofs and basements. The ministry representatives apparently misunderstood the nature of HUDAC's commitment for assistance, and HUDAC itself apparently misunderstood the minister's expectations. There was a lot of complicated misunderstanding.

17:20

Notwithstanding this, an offer to rectify certain matters was apparently made at some stage by the builder, but the home owners were never made aware of the offer. The offer was simply discussed by the minister in discussions

with the builder and was never made available to the home owners. A further complication is that HUDAC did not exist at the time and the minister never communicated the builder's offer.

The facts and the chronology in this issue are very complex, and I do not think any of us will venture into the complexity of the issue. The core of the issue is that, as a result of discussions he had with HUDAC, the minister concluded that, with the assistance, he and his ministry could provide the relief these injured home owners had been seeking for a number of years. He publicly said so in no uncertain terms on numerous occasions. Therefore, the Ombudsman has criticized the handling of this issue by the ministry. The criticisms that were labelled, notwithstanding the gesture of the then minister to assist, were the following—

Mr. Sterling: On a point of order, Mr. Chairman: I wonder whether there is any sense in carrying on this debate since not one minister of the crown is in the Legislature at this time. If they are not interested in the Ombudsman's report, why refer it to us? Why waste the time of the Legislature? It is insulting to the member for High Park-Swansea that there is no minister here to hear the comments of the members of the Legislature.

The Deputy Chairman: The parliamentary assistant is here.

Mr. Shymko: The remark is very appropriate. I do not know the reason the minister is not present. It could be an emergency situation. I do not want to jump to any conclusions. It could be a serious matter. I hope it is a very serious matter that has caused him to leave the House. Notwithstanding the respect I have for the parliamentary assistant, who is present for the minister, I think the point has been made that it is insulting to my colleagues that the minister is not present if the reason for his absence is not serious and is not a matter of emergency.

I want to return to my remarks. Mr. Chairman, I am sure you will hear partisan remarks as we debate this issue. As they say, it is the nature of the beast. There will be a lot of partisan remarks. I will try not to be partisan. I may quote the press and statements made by the president of the home owners' association once in a while, which may be interpreted as partisan, but they will not be.

The former minister sincerely tried to help the home owners. One may criticize the way Frank Drea handled things. He would often shoot from the hip, as the expression goes, and make commitments that later he had to backtrack on and see that the answers, commitments and

solutions were not as simple as he thought they were, but his intention was sincerely to help these home owners. Nevertheless, some criticism is to be levelled and has been levelled by the Ombudsman.

First, the ministry omitted to document its commitment from HUDAC, to confirm the commitment with HUDAC in writing. We did not have anything. Second, the ministry was unreasonable, as far as the Ombudsman can see, in omitting to provide HUDAC administrators with a statement of the minister's expectations. It did not do this. Furthermore, the Ombudsman notes that the ministry unreasonably omitted to notify the home owners of the results of HUDAC's inspections as well as written notices of its final disposition of this matter.

These criticisms are fair and just. As members of the committee, notwithstanding our party affiliations, we support the recommendations of the Ombudsman 100 per cent: first, that the minister should reopen the file and review these cases; second, that they should repair the homes that suffered damage and that this should be at no cost to the home owners; third, those who have paid for their own repairs should be compensated; and, finally, the ministry should send some report letters to the home owners as defined, indicating that should they wish to be compensated, they should pursue this with the ministry.

These recommendations are reasonable. They are backed by the committee, and I urge members to support the committee's recommendations in support of the Ombudsman.

Members may interpret this as being partisan, but in concluding my remarks, I would like to use the words of the president of the Rembrandt Home Owners' Association, Mr. Bhattacharya, as quoted in the September 3 issue of the *Toronto Star*:

"The Liberals, back to former leader Stuart Smith in the mid-1970s, had supported them"—the home owners—"in their battle. Now they are in power, they are not prepared to do what they were asking the government of the day to do when they were in opposition."

As the French saying goes, *plus ça change, plus c'est la même chose*. The surprise of the home owners is that now that a new government has come in, for some reason the same reticence to compensate is evident in the present minister, although the previous minister apparently was willing to alleviate and resolve this matter and publicly said so. I appeal to the minister, who is absent for some unknown reason, and I hope it is for genuine reasons that he is not present,

because it is insulting when a minister is not here at such an important stage of a debate on such an important topic. Notwithstanding, I urge the minister to be reasonable in following and accepting these recommendation-denied cases, and this one in particular, as reported by the committee in its 13th report.

Mr. Philip: I am sure that Joe Stalin would have been very appreciative of the talents of the previous member for rewriting history.

Mr. Shymko: I demand an immediate retraction of this remark comparing me to Joseph Stalin.

The Deputy Chairman: Order. Will the member for Etobicoke withdraw his remark.

Mr. Philip: I withdraw the remark. I am simply saying the previous member has a strange interpretation of the history of this and a strange interpretation in attacking the present minister and in quoting the president of the home owners' association. I notice he did not quote the earlier statement about the previous minister, who he says was so willing and active in his attempts on the part of the home owners.

The home owners in the subdivision—and this is from another newspaper, the *Globe and Mail*, February 16, 1981—"thought they had the backing of Frank Drea, Ontario Consumer and Commercial Relations minister, who pledged on a number of occasions that his department would ensure that the repairs were completed. But the home owners fear that he has reneged on his promises." That is how the previous Minister of Consumer and Commercial Relations kept his promises.

There are essentially three factors that we see going through this. The first is the essential principle in the debate. A minister must be accountable for his public statements, and his ministry and ministries and governments that follow have to be accountable to the public for those promises and those commitments.

In October 1979, the then Minister of Consumer and Commercial Relations clearly promised the Rembrandt home owners that they would be compensated for their homes and that the problems would be repaired. He did so after consulting with the HUDAC home warranty people at some length.

17:30

The second fact we have to look at is that this government and the previous government have abandoned the responsibility of the Ministry of Consumer and Commercial Relations by setting up tribunals controlled by industry which clearly

are not in the best interests of the consumers of this province. The HUDAC home warranty program is the worst example, but there have been other examples. The present minister, instead of introducing lemon-aid legislation, as has happened in other jurisdictions to protect car buyers, has set up a similar kind of industry-controlled and manipulated so-called tribunal.

The third fact is that the HUDAC home warranty program simply has not worked. If there is a lesson for the present government, it is that. Yet I see in private members' hour how the parliamentary assistant to the Minister of Consumer and Commercial Relations, in a very fuzzy and ill-conceived motion, wants somehow to expand the authority of the HUDAC home warranty program.

The problem with the HUDAC home warranty program is not that it should be expanded; it is that it should be abandoned. It has never worked and it has been a bureaucratic nightmare for anybody who has appeared before it. It has been a coercive force against legitimate home owners and legitimate builders who had to deal with it. This is merely another example of how it has failed to operate.

The Ombudsman has recommended that these people be adequately compensated because the minister made a public commitment to them. For the present government to argue, as it has, that the minister was simply acting as the honest broker is a cop-out. This is the same cop-out that this same ministry has been using in talking about the problems drivers have in dealing with the automobile insurance companies, those foreign-dominated companies that charge so much more for automobile insurance in this province.

It is the same kind of system, the same kind of cop-out that it deals out under the consumer protection branch of the ministry when it tells a consumer, "You may be right, but we act as an honest broker and if we do not succeed, then you will have to go to court at your own expense." It is the same kind of cop-out we have seen in the new program that the government is setting up to dealing with the problems of new automobiles.

That simply will not work. At some point, the Minister of Consumer and Commercial Relations has to stop being the minister of purely commercial relations and start protecting the consumer. Other provinces have done it and other jurisdictions have done it. It is about time this minister did it. Unfortunately, we have in the presence of this minister someone who is to the right of Sidney Handleman, the most right-wing, conser-

vative Minister of Consumer and Commercial Relations we have ever had in this province.

That minister took pride in the fact that he did not do anything, that he held the fort, that nothing moved under his ministry. The home owners of this province, in this instance the Rembrandt home owners, have been waiting far too long for reimbursement, as the previous speaker said. I am pleased this matter has come before us and I am pleased the Ombudsman will have an opportunity to have his recommendation accepted by the House.

There is a point that has to be made because we will be dealing with this in the House at some time in the not-too-distant future. The interesting thing is that if HUDAC had made the promise directly and reneged, we probably would not have had an opportunity to debate it because there is a problem as to the authority the Ombudsman would like to have over the home warranty program and the fact that he does not now have that authority. In this case, luckily, it was the minister, Mr. Drea, who went public with the promise and not the home warranty program, or we would have not been able to deal with it.

I urge the members to vote for this section of the report. It is quite common for us to deal with a report in parts and vote on each individual section. Delaying this section so we can debate the whole report means that working people who have been ripped off, who have paid good money for homes and have not had those homes delivered, will lose the money that is owing to them. I urge the members of the House to vote in favour of this recommendation of the Ombudsman. It is a good recommendation. It has been before our committee far too long. It is about time it was passed by the House.

Mr. Offer: As has been indicated, the facts with respect to this matter and which gave rise to this matter are well known. Previous ministers' positions are well known to all members of this House and the resolution we are dealing with is well known to all and has been indicated to us clearly. In this matter, we have to adjust ourselves to certain issues such as these questions: Should there be payment and, if so, who and what is to be covered? How is it to be handled? Should there be a contribution from the Ontario new home warranty plan?

There was no provincial regulatory responsibility for the Rembrandt homes, all of which received appropriate municipal and other inspections at the time of construction. The Ontario Building Code and the Ontario new home

warranty plan were not passed until several years later. The homes in question are selling at current market value, which is about \$100,000 above the original purchase price.

The Ombudsman's position that the Ministry of Consumer and Commercial Relations should repair any substantial or major structural defects in the homes relating to the original construction is based on a minister's unconditional promise that this would be done. In fact, the minister's statements did not create a legal liability and the home owners have chosen not to pursue the builder in the courts. The Ombudsman, lacking jurisdiction with respect to anything other than the ministry, appears to have used the ministry as his vehicle for resolving grievances between third parties.

Complying with the wishes of the Ombudsman and the standing committee on the Ombudsman would create a significant precedent, both of responsibility in the absence of regulatory authority and of retroactive responsibility. I ask the members to take into consideration that this will affect not only this ministry, which must mediate difficult situations on a daily basis, but also other ministries.

Mr. McClellan: The government spokesperson has provoked me to a brief comment because I have been acting as an advocate for the Rembrandt Home Owners' Association for a number of years. I was preceded by Phil Givens, Margaret Campbell—

Hon. Mr. Nixon: Phil Givens?

Mr. McClellan: Phil Givens, I know, is one of the minister's favourite human beings. Margaret Campbell—

Hon. Mr. Nixon: Another one.

Mr. McClellan: —is another one. Stuart Smith is yet another.

Hon. Mr. Nixon: Yet another; three in a row.

Mr. McClellan: While they were in opposition, and I think somebody cited the Orland French article, the Liberals were very enthusiastic in their support of the cause of the Rembrandt Home Owners' Association.

17:40

The facts are very simple. Leaving aside all the gobbledegook that the spokesperson for the bureaucracy has just put on the record, these people were ripped off by a developer, and the government of Ontario made promises and commitments. A number of these were made in my presence, both at meetings at the head office of the ministry and in the standing committee of this Legislature. Promises were made by the

government of Ontario to take certain actions to compensate these people, and these promises have been broken.

While they were in opposition, the members of the Liberal Party supported the position that the government of Ontario should honour its promises and commitments. Now that they are in office, we get the same kind of mindless parroting of the excuses of bureaucrats that led to the downfall of the previous government. People expect that when a government makes promises it will honour its promises, and that is all this issue is about.

We have an opportunity to vote in support of the recommendation of the select committee to uphold the decision of the Ombudsman to find a means of redress.

I have a flash from the front that indicates I may have maligned my colleagues unfairly. I have never done that before. I would find it unbelievable and incredible if the government were to oppose this recommendation.

Mr. McNeil: As the chairman of the standing committee on the Ombudsman, I feel I should make a few remarks. We were informed that this was a case regarding homes that were purchased between 1971 and 1973, when the builder refused to respond to complaints from owners about deficiencies in the homes.

Here is a little of the history. In 1978, a petition from 365 home owners was presented to the then Minister of Consumer and Commercial Relations, Frank Drea, and the minister made public commitments to the home owners that deficiencies would be repaired. For example, during his attendance on October 10, 1979, before the standing committee on the administration of justice, he said:

"I have worked out an arrangement whereby all those homes will be repaired....they will be brought up to standard....I would like to get those homes repaired by the end of the year if possible. But it will be done at no cost to the home owner."

On October 12, he said:

"The arrangement I have worked out is that the deficiencies will be remedied, whatever the deficiencies are....somebody would be brought in at their convenience, free of charge to them, the place would be rectified up to the present standard...."

"You put it in place exactly as though it had been covered by the HUDAC home warranty program."

The committee has recommended that "the ministry reopen its file on the matter and take

whatever steps are necessary to review the HUDAC and related inspection reports for those houses which are owned by persons who originally filed a deficiency list and who are still interested in some form of assistance from the ministry." The committee stated that it shall be the home owners' association's responsibility to advise the ministry of the names of these persons.

The second recommendation the committee made is as follows:

"Following this review, the ministry, at no cost to the homeowners, pay or cause payment to be made for the repair of those homes which have suffered damage as a result of a major structural defect relating to original construction or in which there exist substantial defects relating to original construction as reflected in the HUDAC inspection reports.

"If any of the above-noted home owners have repaired damage caused by major structural defects relating to original construction, or any substantial defects relating to original construction, as reflected in the HUDAC reports, then these home owners should be compensated for their actual repair costs.

"In the committee's opinion, the ministry should seek contribution and/or indemnity from HUDAC for the cost of these repairs. The committee has concluded that HUDAC's actions have in some measure caused or contributed to the ministry's predicament and to the statements made by the minister wherein he made commitments to the home owners."

As a member of the committee, I strongly urge the members to support the recommendations that were made by the standing committee on the Ombudsman.

The Deputy Chairman: Is the committee ready for the question on this recommendation? Shall the recommendation in part IV(i) carry?

Motion agreed to.

On motion by Hon. Mr. Nixon, the committee of the whole House reported a certain recommendation.

TOWNSHIP OF MARA ACT

Mr. McCague, on behalf of Mr. McLean, moved second reading of Bill Pr11, An Act respecting the Township of Mara.

Motion agreed to.

Third reading also agreed to on motion.

CEDARHURST GOLF CLUB ACT

Mr. McCague, on behalf of Mr. Stevenson, moved second reading of Bill Pr22, An Act to revive Cedarhurst Golf Club.

Motion, agreed to.

Third reading also agreed to on motion.

UNIVERSITY OF ST. JEROME'S
COLLEGE ACT

Ms. E. J. Smith, on behalf of Mr. Epp, moved second reading of Bill Pr26, An Act respecting the University of St. Jerome's College.

Motion agreed to.

Third reading also agreed to on motion.

Hon. Mr. Nixon: Mr. Speaker, His Honour has indicated his desire to come into the chamber to give royal assent.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 12, An Act to amend the Compensation for Victims of Crime Act;

Bill 24, An Act to amend the Small Business Development Corporations Act;

Bill 27, An Act to amend the Corporations Tax Act;

Bill 28, An Act to amend the Income Tax Act;

Bill 32, An Act to amend the Tobacco Tax Act;

Bill 70, An Act to amend the Provincial Offences Act;

Bill 107, An Act to amend the Legal Aid Act;

Bill 130, An Act to repeal the Gold Clauses Act;

Bill Pr11, An Act respecting the Township of Mara;

Bill Pr22, An Act to revive Cedarhurst Golf Club;

Bill Pr26, An Act respecting the University of St. Jerome's College.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: There have been some minor amendments to the work for tomorrow. A number of members, including opposition members, are finding it inconvenient to do the bills that were previously scheduled. However, we have agreed to proceed tomorrow with Bill 72 and Bill 128 and, if time remains, we will continue with the estimates of the Treasurer.

The House adjourned at 5:56 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
57	2990	1	45	Ken Hale, a director of a legal aid clinic, has

CONTENTS

Tuesday, November 4, 1986

Members' statements

Bravery awards, Mr. J. M. Johnson	3057
Advocacy groups, Mr. R. F. Johnston	3057
Bravery awards, Mr. G. I. Miller	3057
Property assessment, Mr. Davis	3058
Appointments in public sector, Mr. Breaugh	3058
Crime Prevention Week, Ms. E. J. Smith	3058
Italian Memorial Day, Mr. Shymko	3059

Statements by the ministry and responses

Social assistance, Hon. Mr. Sweeney, Mr. Cousens, Mr. R. F. Johnston	3059
Transfer payments, Hon. Mr. Fulton, Mr. Gregory, Hon. Mr. Grandmaître, Mr. Breaugh	3060
Futures program, Hon. Mr. Sorbara, Mr. Jackson, Mr. Warner	3062

Oral questions

Nursing homes, Mr. Grossman, Hon. Mr. Scott	3063
Conference on Northern Competitiveness, Mr. Harris, Hon. Mr. Nixon	3064
Extra billing, Mr. Rae, Hon. Mr. Nixon, Mr. D. S. Cooke	3065
Conference on Northern Competitiveness, Mr. Rae, Hon. Mr. Nixon, Mr. Foulds	3066
Pay equity legislation, Mr. Grossman, Hon. Mr. Scott	3067
Nursing homes, Mr. Rae, Hon. Mr. Scott	3068
Property assessment, Mr. Gregory, Hon. Mr. Nixon	3069
Sewage treatment plants, Mr. Mackenzie, Hon. Mr. Bradley	3069
Affordable housing, Mr. Cousens, Hon. Mr. Sweeney	3070
Sewage treatment plant, Mr. Hayes, Hon. Mr. Bradley	3071
Minority-language education, Mr. Davis, Hon. Mr. Conway	3071
Sewage treatment plants, Mrs. Grier, Hon. Mr. Bradley	3072
Nursing homes, Mr. Andrewes, Hon. Mr. Scott	3072
Access to children in custody, Ms. Gigantes, Hon. Mr. Scott	3072
Public libraries, Mrs. Marland, Hon. Ms. Munro	3073
Aid to disabled, Mr. R. F. Johnston, Hon. Mr. Nixon	3073

First reading

Barristers Amendment Act, Bill 147, Hon. Mr. Scott, agreed to	3074
--	------

Third readings

Compensation for Victims of Crime Amendment Act, Bill 12, Hon. Mr. Scott	3074
Provincial Offences Amendment Act, Bill 70, Hon. Mr. Scott	3074
Legal Aid Amendment Act, Bill 107, Hon. Mr. Scott	3074
Small Business Development Corporations Amendment Act, Bill 24, Hon. Mr. Nixon ..	3074
Corporations Tax Amendment Act, Bill 27, Hon. Mr. Nixon	3074
Income Tax Amendment Act, Bill 28, Hon. Mr. Nixon	3074
Tobacco Tax Amendment Act, Bill 32, Hon. Mr. Nixon	3074
Gold Clauses Repeal Act, Bill 130, Hon. Mr. Nixon	3074

Second reading

Assessment Amendment Act, Bill 131, Mr. Gregory, Hon. Mr. Nixon, Mr. Foulds, Mr. Ashe, Mr. Breagh, Mr. Stevenson, Mr. D. S. Cooke, Ms. Bryden, Mr. Taylor, Mr. Hayes, Mr. Sterling, Mr. Partington, agreed to 3074

Committee of the whole House

Report, standing committee on the Ombudsman, Hon. Mr. Nixon, Mr. Shymko, Mr. Philip, Mr. Offer, Mr. McClellan, Mr. McNeil, progress reported 3090

Second readings

Township of Mara Act, Bill Pr11, Mr. McLean, agreed to 3096

Cedarhurst Golf Club Act, Bill Pr22, Mr. Stevenson, agreed to 3096

University of St. Jerome's College Act, Bill Pr26, Mr. Epp, agreed to 3097

Royal assent

The Honourable the Lieutenant Governor 3097

Other business

Visitor, Mr. Speaker 3071

Business of the House, Hon. Mr. Nixon 3097

Adjournment 3097

Erratum 3097

SPEAKERS IN THIS ISSUE

Alexander, Hon. L. M., Lieutenant Governor Andrewes, P. W. (Lincoln PC)
Ashe, G. L. (Durham West PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Breaugh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Cousens, W. D. (York Centre PC)
Davis, W. C. (Scarborough Centre PC)
Edighoffer, Hon. H. A., Speaker (Perth L)
Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Gregory, M. E. C. (Mississauga East PC)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Hayes, P. (Essex North NDP)
Jackson, C. (Burlington South PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Johnston, R. F. (Scarborough West NDP)
Mackenzie, R. W. (Hamilton East NDP)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McNeil, R. K. (Elgin PC)
Miller, G. I. (Haldimand-Norfolk L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
Offer, S. (Mississauga North L)
Partington, P. (Brock PC)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Runciman, R. W. (Leeds PC)
Scott, Hon. I. G., Attorney General (St. David L)
Shymko, Y. R. (High Park-Swansea PC)
Smith, E. J. (London South L)
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)
Sterling, N. W. (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Taylor, J. A. (Prince Edward-Lennox PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament

Wednesday, November 5, 1986

Speaker: Honourable H. A. Edighoffer

Clerk of the House: C. L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, November 5, 1986

The House met at 1:31 p.m.

Prayers.

MEMBERS' STATEMENTS

AGRICULTURAL LAND PRESERVATION

Mr. J. M. Johnson: I would like to remind the members of this Legislature that the government and the Treasurer (Mr. Nixon) made the decision last year to phase out the Ontario Land Corp. and dispose of its land holdings by transferring ownership to the appropriate ministries or selling the land as market conditions permit.

The Ontario Land Corp. has until next August to dispose of 63,000 acres of land, much of it farm land. My concern is that if the government decides to sell the land, thousands of acres of farm land will be thrown on to the market, which will have the effect of further depressing the already low price of farm land.

This government and the Minister of Agriculture and Food (Mr. Riddell) have made a commitment to preserve Ontario's agricultural land. Why then would the government not set an example by holding the approximately 30,000 acres of farm land it now owns instead of releasing them for sale, thereby forcing our financially depressed farmers to maintain all the farm land in this province as well as having to suffer the effects of further decreases in land values? This agricultural land could be leased to farmers with long-term options to purchase when economic conditions improve.

EXTRA BILLING

Mr. D. S. Cooke: I rise to speak on the statement made yesterday by the Ontario Medical Association and the press release that was issued by the Minister of Health (Mr. Elston), to remind the members that this matter has been discussed in the Legislature and in public for several months.

The first meeting the Minister of Health had on this matter with the College of Physicians and Surgeons of Ontario was on July 23—I gather he has had one subsequent meeting as well as meetings with the OMA—yet as of today, the matter remains unresolved.

In an article on July 23, after the meeting with the college, the *Toronto Star* reported: "Elston said later he expected the college would soon issue a 'pretty plain statement' that there should not be charges deterring people from seeking doctors' care."

That statement never went out from the college, yet some of the charges that doctors, most obviously the obstetricians in the city of Toronto, were initiating with their patients were completely outrageous and were deterring people from accessing the health care system.

Yesterday, the Minister of Health stated, "While it is true that billing for uninsured services is not a new practice, I have some reservations about the Ontario Medical Association's guidelines as contained in its letters."

Are standby fees going to be allowed, are some of these other uninsured fees going to be allowed, or is the government going to put its legislation where its mouth is and end this practice, which deters people from using the health care system?

ROBERT P. BATEMAN AWARD

Mr. Offer: I rise to inform the House that the first Robert P. Bateman Award has been given to Grace Jull. Mrs. Jull has worked as a child care counsellor for emotionally disturbed children at the Mississauga Hospital's child and family clinic.

The Robert P. Bateman Award is given to individuals who have made an outstanding contribution to the physical and emotional welfare of children. It is through the contribution of people such as Grace Jull that the needs of our children are more fully met.

Mrs. Jull not only counsels at the clinic three days a week but also operates a hotline service for teachers, parents and public health nurses. In addition, she runs a drop-in centre in the Meadowvale area of Mississauga for parents to discuss child management problems.

Grace Jull has been working in this field for more than 20 years. She is 69 years old, a mother of four and a grandmother of nine. I wish publicly to congratulate Grace Jull for her effort, dedication and commitment in her work with our children for many years.

GUY FAWKES DAY

Mr. Andrewes: Remember, remember the fifth of November. Today is Guy Fawkes Day. It is an old English celebration of thanksgiving. The roots of the tradition stretch back nearly 400 years, to 1605, when Guy Fawkes and a number of conspirators attempted to blow up the British House of Commons.

Despite all the recent renovations to this chamber, I do not believe the construction crews uncovered any kegs of gunpowder in the cellar; yet we hear threats of another kind, related to the longevity of this parliament. Peter, son of the wolf, has been doing some huffing and puffing of late, and now we hear the government House leader may be planting a few bombs of his own to bring about what he refers to as the final solution.

I remind the government House leader that the Guy Fawkes plot was uncovered. Fawkes was tortured to reveal the names of his co-conspirators, and on January 31, 1606, they were duly executed in front of Westminster.

I caution the House leader to remember, remember the fifth of November.

SEWAGE TREATMENT PLANT

Mr. Hayes: In 1971, the Ministry of the Environment issued a certificate of approval for the operation of a landfill site in the township of Maidstone; it then turned its back, walked away and ignored the operation of that site.

The dump in Maidstone has been operating illegally for a long time. The wells, the ground water and the streams are being polluted. The people are still waiting for the government to assure them that their health is not affected by the contaminants in this dump.

No doubt the workers in the Windsor sewage treatment plant have a good reason for refusing to work; they felt their health was affected. However, I feel the Minister of Labour (Mr. Wrye) and the Minister of the Environment (Mr. Bradley) have shirked their duties by not resolving the problem at the source. What good is legislation if it is circumvented by an uncaring government willing to issue endless temporary permits to dumps?

The lack of action by the Minister of the Environment is not acceptable to the people of Maidstone township. The minister has not taken this concern as seriously as he should. Every time he is asked a question on this issue, he takes us on a trip around the world. Why does he not get out of the environment and start a travel agency?

CONFERENCE ON NORTHERN COMPETITIVENESS

Mr. Gordon: In Sault Ste. Marie yesterday the Premier (Mr. Peterson) spoke of "ruthless realism" and the need for northerners to become self-reliant, and insinuated that northerners are complainers looking for someone else to blame for our problems. At times he sounds very much like a Social Darwinian. What I find particularly galling is that he can say such things in northern Ontario after travelling direct, if you can believe it, from a new auto plant in southern Ontario.

This Premier spoke of a new reality for northern Ontario. The reality of northern Ontario is an unemployment rate that is nearly double that of the south. Does his new reality for northern Ontario include the type of incentives and moral suasion that is necessary and that only the government can provide and that will see auto plants locating in the north?

In northern Ontario now, we have the skills and infrastructure such industries require. In Thunder Bay, we have Can-Car; in Sudbury, we manufacture all-terrain vehicles; at various locations in the north, mining machinery is manufactured. All we lack is the government's political will to put in place a program of incentives and to apply pressures at the right points to get these kinds of industries locating in the north. Another gabfest in Thunder Bay is not the answer to northern Ontario's problems or its unemployment problems.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have before me a copy of a letter written by Rae Erskine, co-chairman of the joint health and safety committee at Domtar in Hamilton, to the Minister of Labour (Mr. Wrye). Mr. Erskine writes to say, and I quote:

"I feel that some person or persons in your ministry must have been misinforming you. Since what has been stated—that I asked you not to intervene—" which Mr. Erskine says is totally untrue, "is so out of accord with the real situation, I feel it is my duty to respond."

Mr. Erskine says he never asked that the report be rewritten, nor did the joint health and safety committee request Dr. Muir to rewrite or revise the report. The joint health and safety committee asked for clarification on the severity of the health effects on workers.

He also says he spoke to the minister personally in early August. The ministry officials were in the plant, and in September he insisted the inspectors record his complaint that the internal responsibility system at Domtar had

failed. In 72 per cent of the cases involved, the internal responsibility system had failed.

Further, Mr. Erskine says, and I quote, "We have achieved some improvement to date, but this has been done without assistance or sympathy from the Ministry of Labour."

I am not quoting now. Let me say that the minister has not responded in any way, shape or form to the facts that Muir, McCalla and company are out to get those two doctors and are out to downplay the seriousness of those problems at Domtar.

13:43

STATEMENT BY THE MINISTRY AND RESPONSES

OCCUPATIONAL HEALTH AND SAFETY

Hon. Mr. Wrye: The administration of the Occupational Health and Safety Act is one of my most important responsibilities as Minister of Labour.

As honourable members know, the act requires both management and labour to assume the primary responsibility for worker health and safety in the work place. If that responsibility is exercised with discipline, determination and care, illness and injury on the job will be prevented and worker health and safety will be protected. If it is not, the Ministry of Labour must exercise its responsibility, which is to bring the full force of the law to bear upon the work place—swiftly, surely and fairly—so that things may be set right.

To exercise that responsibility fully, the Ministry of Labour must have at its disposal the appropriate resources, both human and financial. It is my judgement that the ministry has not had such resources since the act took effect in 1979. While every enforcement area has suffered from some degree of neglect, none has suffered to the extent of the construction health and safety branch.

In 1981, when the construction industry was considerably less active than it is today, there were 92 construction safety inspectors in Ontario. In 1985, when this government came to power, there were only 66. In four short years, almost one third of the construction health and safety inspectorate left the job and was not replaced.

Today, it gives me great satisfaction to announce that we are beginning the full and formal reversal of that sorry trend. I would also like to stress that the measures I am announcing today are interim measures only.

The external review of the effectiveness and efficiency of the occupational health and safety program that is now being conducted will provide blueprints for comprehensive resource enhancement in all areas of the ministry's occupational health and safety mandate.

The government has granted the Ministry of Labour the resources to hire 13 new construction health and safety inspectors just as soon as competitions can be conducted and candidates selected.

In addition, the government has granted resources to hire three new lawyers, two new articling students, an office manager and three support staff for the ministry's legal services branch. These new people will help ease the burden on the ministry's legal staff, a burden that has increased dramatically in the past year since the government came to power and since a new enforcement policy was implemented.

Permit me to provide one statistical comparison to underscore the impact that this new enforcement policy has had. Between April and August of 1986, the number of cases referred to the legal branch for possible prosecution was 296; that represents a 155 per cent increase over the 116 cases referred during the similar period of 1985.

In making this announcement, I would like to thank specifically the Treasurer (Mr. Nixon) for his interest and support. It reflects the understanding and commitment of the government to work places for all workers in Ontario in which illness and injury can be prevented and health and safety will be protected.

Mr. Gillies: A year and a half after this government took office, the Minister of Labour suddenly realizes that construction activity in the province is well up and that monitoring and inspection of that activity has to be increased.

I am surprised the minister does not realize that during the years 1981 to 1984, we had something going on in the province called a recession. To use my riding as an example, building permits worth a total of \$6 million were issued in the city of Brantford in 1981; more than \$55 million worth of building permits will be issued in 1986. The need for increased monitoring and inspection is obvious, and the minister will have to concede that it is an increase in construction activity that necessitates this.

The minister is not going to get any disagreement in this House that there is a need for additional staff to process the case load he has. In that regard, I welcome his announcement and I am glad he is getting the staff he needs.

However, the statement did not speak to the real problem, which is that in the first full year for which he has had responsibility, the incidence of work place deaths and accidents in the construction industry in this province is way up. I know this concerns the minister as much as it does all other members of the House. I concede to the minister that in part it is because of the increase in construction activity itself, but the need is pressing.

If the minister can take all necessary steps to improve inspection and compliance with orders in the province, he will have the goodwill and support of every member of this House. I hope he can do it. In his statement, the minister alluded to the external review that is under way on the activities of his ministry in this regard. We look forward to seeing that review, but let us not lose sight of the major problem, that the construction industry in Ontario today is a much less safe place to be than it was even one year ago. The minister has an obligation to do something about it.

Mr. Martel: I am amazed by the comments of my friend to the right, since it was his party that allowed the start of this downhill slide. What amazes me about the minister's statement is that while he pretends he is getting more staff, it is my understanding he will have fewer staff when he is finished hiring than there was in 1981, when there were 235 or 236 inspectors. I believe we are now down to 221, and he is going to get 13 more; so the total figure will not be substantially altered.

The real issue is not whether the ministry has enough inspectors. One of the key problems is that the minister has not cleaned up the swamp. No one knows what anyone is doing, and everyone is contradicting everyone else. The minister has not been able to straighten that out in 17 months. In fact, he has not even been able to make a dent in the type of reporting that goes on in the ministry.

The minister talked about orders and said there was an increase of 155 per cent in prosecutions. The number of orders issued in the industrial sector alone was 50,000, and 10 per cent had to be repeated. They were all a violation of the act to start with. Those people who did not conform to the orders written were contravening the act a second time. While he talks about a paltry 200, we are talking about 50,000 or 60,000 orders, if we consider all three sectors, and he wants to blame everyone.

Lack of numbers is just a smokescreen for inactivity. The biggest inactivity he could have

performed in this Legislature was to have an inquiry that cannot get to the bottom of his problems. I do not know where the agreement came from. The minister goes into the type of inquiry where witnesses cannot be called, subpoenaed if need be and documents subpoenaed. He has this little in-house inquiry that will get to the bottom of nothing, as hard as Laskin and McKenzie work. There is so much collusion going on in this field that it is not even funny. The minister knows it and I know it. Why he ever got taken in by the group which decided he needed a little in-house, private inquiry is beyond me.

One only has to look at the Domtar situation. The chairman of the Advisory Council on Occupational Health and Occupational Safety is the same Dr. McCalla who is sitting at McMaster, threatening to fire a couple of doctors who are too intimately involved with an occupational health centre. There is collusion. Then he has Dr. Muir, who happens to be the vice-chairman of one of the minister's committees, who admits he rewrote a report without anybody asking for it. What the minister is trying to do is shift the blame to Erskine and the two doctors.

The minister says to me that the doctors will not come forward. Quite naturally, they will not come forward. Their jobs are being threatened. I raised this a year ago during the minister's estimates and he told the press he could not recall any of that. I suggest he look in Hansard. I also called him in September about the same sort of situation.

I cannot understand why the minister did not ask for an open and full inquiry. He had no allegiance to the cesspool at 400 University Avenue, none at all. If he had had any courage, he would have cleaned it up. He would have had an open and full inquiry and would have had credit for it. As it is now, the minister is seen as part of the problem. For the life of me, I cannot understand why he did that. I cannot understand why he comes in here day after day with answers that are half-truths prepared by his staff. I have said that to my friend in public and I have said it to him privately. He will not get to the bottom of that cesspool. That will only occur when he has the courage to have an open inquiry.

Let the minister not tell me about inspection. I can show him 100 cases where the inspectors' orders have been countermanded by their superiors. I can name the people who countermanded the orders when the inspectors gave them out there. How can the minister have any willingness to force anything to work when his own staff at the top continues to skewer those people who are

doing their jobs? The minister has to have an inquiry so this nonsense will not carry on.

13:54

ORAL QUESTIONS

CONFERENCE ON NORTHERN COMPETITIVENESS

Mr. Gordon: I have a question for the Minister of Industry, Trade and Technology. Yesterday the Premier (Mr. Peterson) was in Sault Ste. Marie talking about the new "ruthless realism" that we in the north have to accept and, with his Trudeauesque expressions, talked about northerners being complainers. What I find particularly galling is that he did this after coming from the opening of an auto plant in Alliston.

Is this government and is the minister prepared to bring forth very definite incentives that will help to provide auto parts plants in northern Ontario?

Hon. Mr. O'Neil: If the member had been to Sault Ste. Marie and seen the reception that the Premier and the ministers received there, I do not believe he would be making comments like that. We were very well received.

In the past year and a half, this government has done more for the problems of the north than the Conservative government did in 42 years. The suggestion the member made is one of the things we were discussing when we were there. We will be working with the communities of the north to try to assist them in whatever way we can.

Mr. Gordon: Now that we have seen that the attitude of this government is that northerners should be obsequious and should bow and scrape and kiss the hem of the minister's gown, perhaps he can tell us how he expects us to act, especially since his Premier called us complainers.

I would like an answer to this question. Is it not true that in the north right now in Thunder Bay we have Can-Car, which is manufacturing, in the Sault we have steel parts manufacturing and in Sudbury we have companies that produce all-terrain vehicles and mining machinery? Is it not true that the infrastructure for manufacturing in the north is there now? Will he not give us a commitment that it is going to happen in the future?

Hon. Mr. O'Neil: As I mentioned, that was one of the topics discussed not only in some of the seminars but also in private meetings I and other ministers had with people in the north. It is something we will be working very hard towards. I repeat, the Progressive Conservative

Party had 42 years to put that structure into place, and what did it do? We are working on the problems.

Mr. Gordon: Not being 42 yet, that type of answer is not what we are looking for in the north. We want some definite commitments. When we hear that all this government is planning is another gabfest in Thunder Bay, it does not provide us with much confidence about his plans for northerners.

Our unemployment rate in the north is double, we have more and more people going on the welfare rolls all the time and this government has been in power for 17 months. Yet the only thing they can do is go up north, hold a gabfest and promise another one in Thunder Bay. That is hardly any kind of strategy. Can we count on a strategy from this government for the development of manufacturing in northern Ontario?

Hon. Mr. O'Neil: The people of the north, especially those who were at the conference, would be very offended by the member saying it was a gabfest. I remind the member of the comment of the mayor of the Sault about halfway through the second morning's meeting. He said: "We are very pleased that you are here in the Sault and having this conference here. We hope you have more of them throughout the north because they are of high regard."

Not only in that meeting but also in other things we have held throughout the north, we are working on problems the Conservative government left for this government to deal with.

Mr. Gordon: On a point of privilege, Mr. Speaker: I feel the minister has cast aspersions on the mayors of this province. Mayors always make those kinds of remarks.

Mr. Speaker: Order.

Mr. Laughren: On a point of order, Mr. Speaker: You may wish to reclassify this as a point of information, but I think I heard the member for Sudbury (Mr. Gordon) say he was not yet 42. I wonder whether he would be prepared to table his birth certificate.

Mr. Speaker: Order. With respect, it is question period. New question.

Mr. Harris: I was 39 once.

I have a question for the Minister of Industry, Trade and Technology. Northerners in this province are faced with a government which lacks both the ideas and the intestinal fortitude needed to help secure their place in the sun and their future. On another occasion, the minister told us his position is the Premier's position. Does he agree with the Premier's view that the

people of the north are looking for someone else to blame for their problems, with the insinuation that our northern citizens are nothing but whiners and complainers?

Hon. Mr. O'Neil: If the member, as a northern member, had been at that conference, I think he would have got something out of it, because the people who were there appreciated us being there. The dialogue that went back and forth will help to solve some of those problems of the north.

14:00

Mr. Harris: The minister will know that the Premier has said he is trying to get rid of the notion that everywhere he goes he is dripping with cheques. He also knows that just two days ago the Treasurer (Mr. Nixon) told this House that, as we predicted, he has found himself dripping with about \$400 million to spend.

The government loses credibility in northern Ontario when the Premier is prepared to drip \$17.3 million on Abe Schwartz for a project at Toronto's Harbourfront, hardly an economically depressed area the last time I looked. He shrugged his shoulders up there. He said he was there to listen. Northerners have told him how he can help. He has heard this over the past year and a half. He heard it when he was up there.

Why will he not implement some of the ideas the member for Sudbury gave him today? Why will he not correct unfair gas prices? Why will he not stop the tax introduction on the trucking industry? Why will he not work on four-laning Highways 17, 11 and 69 to access the north? Why will he not eliminate the mining tax? Why will he not establish flow-through shares?

Hon. Mr. O'Neil: Some of those matters were discussed. Perhaps we have heard them for the last year and a half, but the members opposite heard them for many more years than we ever did. Perhaps we should be telling them about the \$25.3 million we put in through the Northern Ontario Development Corp. Perhaps we should be telling them about the millions of dollars we poured in through the northern development fund. Perhaps we should tell them about some of the things the Treasurer mentioned yesterday. We have been working hard for the north and will continue to do so.

Mr. Harris: Perhaps the minister should; they were all good programs brought in by the previous government. They were all good in their day but times have changed in the past year and a half, and not for the better in the north.

The government has said the people of the north should not expect made-in-Toronto solutions. Apparently, they can expect made-in-Toronto reports, made-in-Toronto conferences, made-in-Toronto press releases and made-in-Toronto printers. Can the minister explain to us why his ministry was unable to find a northern Ontario consultant to write his report or a northern Ontario printer to print it? Why does he still expect the people of the north to live with made-in-Toronto problems and, I might add, to live with a made-in-Toronto government?

[Failure of sound system]

Hon. Mr. O'Neil: The report itself has generated some comments. Some of those comments were good and some of them were bad. The firm was very highly qualified and came to us in that regard. Some of the things the member mentioned, though, are things we will look into.

Mr. Wildman: We are not going to get directly involved in a debate between the Liberals and the Tories about who has less policy for northern Ontario. I will ask a question directly related to what the Premier said yesterday in northern Ontario. Yesterday the Premier gave a wrapup speech to the conference in which he told delegates he could not find a consensus, he did not know the solution of how to deal with the weaknesses of the northern economy and northerners would have to provide their own solutions and find their own way to become competitive.

Can the Premier and Minister of Northern Development and Mines explain to the House what steps specifically this government is prepared to take to stimulate investment in northern Ontario?

Hon. Mr. Peterson: I know my honourable friend was at the conference and I appreciate his attendance. I wish my colleagues opposite had availed themselves of the opportunity to share their very positive views of the situation and their specific situations.

I am delighted the member was there to share the air time and to squawk and fuss. We invited him and we invited our colleagues opposite and the federal members of Parliament. We wanted a full and frank dialogue and we were very happy to have him make his contributions, whether people will listen or not.

That being said, I have a number of suggestions. He will know, for example, of the new ventures small business program.

Mr. Villeneuve: That is working really well.

Hon. Mr. Peterson: It has been working well. My friend is critical, and he is entitled to be so, but he is very much aware of a number of programs that have been implemented in the last year. I am talking about major infusions into the post-secondary institutions there. It is a substantial upgrading in a number of areas. He will be aware of a dramatic improvement in the northern development fund. He will be aware of major increases in tourism and plans in those particular areas. I am sure my friend would be the first to stand in this House, knowledgeable as he is of these things, and say this is a government that is working hard to solve the problems of northern Ontario.

Let me take him back a moment. I ask my friend not to oversimplify some of the complex problems we are facing. We have started to establish a significant dialogue. We announced a very significant new approach with respect to timber management, the allocation of wood resources and land policy. As he will be aware, we have started that dialogue with the northern development councils and we are looking forward to working with the people of the north.

Let me make just one other point, if I may, Mr. Speaker.

Mr. Speaker: Very briefly.

Hon. Mr. Peterson: I will do it on the supplementary. Thank you.

Mr. Wildman: The announcement of the ventures program was the only positive press the Premier got out of the conference.

Since the Premier made such a to-do about the need for an entrepreneurial spirit to assist the northern economy to thrive, can he indicate what he is doing to respond specifically to the demand of the entrepreneurs at the conference for government leadership to provide the capital and the infrastructure needed in the north so that we can have results such as the results he found in Alliston before he went to Sault Ste. Marie?

Hon. Mr. Peterson: I hope the member will not be against what took place in Alliston the other day. He suggests he is somewhat resentful about the press. I know my friend flew into town, made a few nasty noises and then flew out of town. His whole object there, I guess, was to control the airwaves. I do not judge my life with regard to positive press or negative press. I do not have that preoccupation, as my friend has. If you do the right thing, life will take care of itself. I just pass that on to my friend opposite.

There was wide consultation there. We heard from a number of very thoughtful spokesmen, who came from a wide variety of experiences and

backgrounds, that we have to develop more entrepreneurialism in northern Ontario. We heard it from the education groups; we heard it from the small business groups; we even heard it from a number of labour leaders who are looking to develop the spirit to solve some of their own problems.

The member cannot have it both ways. He cannot come down here and say, "You cannot have direction from Toronto," "You cannot have direction from Queen's Park," and, on the other hand, go back there and say, "We do not want solutions from the south."

We have taken a very co-operative view. I am sure my honourable friend does not share this view. I believe the links we have established and the faith we have established in the past little while have been very constructive. I know the member does not agree, but his whole object was to go there, cause a fuss, get his face on television and then get out of there. That is okay, and I am going to invite him next year and the year after and the year after that to do the very same thing. We are thinking positively.

14:10

Mr. Wildman: It was the New Democrats who proposed a program for development in the north. There was nothing from this government. I am afraid that all we are going to get is invitations to conferences next year and the year after and the year after that and that nothing will ever happen in northern Ontario.

At the conference, the Premier was chastised by the tourist outfitters as well as by organized labour. He said there was a need for more consultative mechanisms, and he promised a meeting again next year in Thunder Bay. When is this government going to show real leadership and provide the financial resources from the so-called Treasury surplus that was announced in the House on Monday so we can have some real development in northern Ontario?

Hon. Mr. Peterson: The member says I was chastised by some of his friends, and he is right; I get chastised by everybody, including him. He says he put forward a program. I saw the program he put forward. There were 10 skinny little points, recycled stuff that had gone through many reincarnations around here. There was nothing particularly new in what he had. We have seen it all before, and we have heard the member's speeches on many occasions.

Any time the member has a positive or constructive idea, I will be delighted to have him share it with this House, and I will be delighted to implement it. One of the differences between

opposition and government is that government has responsibility; sometimes we see that this is not the case with the opposition.

We have implemented a number of funds. The member knows already that the northern development fund has been doubled for the past year and that significant new programs have been put in place. He should look at what has happened at Searchmont. Why does he not stand up and give this government credit for the co-operative effort we have had with the citizens of Sault Ste. Marie in building a major new destination resort? I am giving just one example of many things that have happened.

There are new programs for tourism, for roads and for a lot of other things. As much as the gentlemen opposite would like to stand up and be nasty and negative about these things—I understand all that—my sense is that the people in northern Ontario are manifesting some faith in this government to work together with them to solve their problems.

I have been in northern Ontario a substantial amount, although perhaps not as much as my honourable friend, and I am in the process of learning a great deal. He may judge me inaccurate in that assessment, but I do not think it is inaccurate.

Mr. Foulds: I would like to place a question to the Minister of Northern Development and Mines. Every time there was a substantial criticism or a substantive suggestion by someone at the conference in Sault Ste. Marie, whether it was Leo Gerard from the Steelworkers, a New Democrat, a tourist operator or a town councillor, the minister turned it aside with a quip or a joke, just as he did today. The north's economy is not a joke. Exactly how are he and his government willing to help northerners rebuild and control their own economy?

Hon. Mr. Peterson: I say to my honourable friend, who usually does not indulge in that kind of remark, I think the remark he just made was completely inappropriate and inaccurate, and if he were a gentleman he would stand up and apologize. It was completely inaccurate. We were gathering a number of ideas.

As I said, and I think the member answered his own question, we have shown a genuine partnership in working together with the people of northern Ontario. He has seen that good faith in the past. We have responded in very specific ways to suggestions that have come from there as well as putting forward a number of suggestions and real programs from here.

Apart from my friend's program to assist northern travel and for the Ontario health insurance plan, which came a year or so ago, he should look at what has happened with respect to the universities, the colleges and the infrastructure. I am sure my honourable friend, in fairness, wants to stand up and recognize some of the progress made in the last little while and does not want to put this on a personal level.

Mr. Foulds: It is the responsibility of the Minister of Northern Development and Mines to show the leadership that is necessary to help northerners rebuild their economy. Today, yesterday and the day before, he did not say one substantial thing that would help them rebuild their economy. His economic ambassador in northern Ontario, Bob Rosehart, said: "One thing is clear: There is a central role of leadership for the government to play in the development of the north."

Is the minister willing to establish a true northern Ontario diversification fund for the economy, managed by northerners, so they can control their economic destiny and rebuild a future for their children?

Hon. Mr. Peterson: I say to my honourable friend opposite that I would disagree fundamentally with his analysis. There are many people there, perhaps a little more objective than the member, who think this government is providing that leadership in a particular way. We are soliciting the advice and consultation of the people in northern Ontario.

On the one hand, if we do things from here, the member criticizes us for that. If we consult people in the north, he criticizes us for that. He wants it both ways. I think my friend owes it to this House and to the people of the north to be very frank and forthcoming about the things that have actually happened and the things that are happening at present, and he above all should know those facts.

Mr. Foulds: I say to the Minister of Northern Development and Mines, who happens also to be the Premier, all northerners want and ask for is a fair share of the buoyancy of the economy of the province as a whole. That is all we are asking. We are asking for the provincial government to show the leadership by giving us the tools to do the job so we can rebuild the economy that he and his predecessors have allowed to be destroyed.

Mr. Speaker: Question.

Mr. Foulds: Would the minister be willing to sit down with workers, company executives and community leaders in every single-industry town

that is vulnerable to the shifts of the worldwide market so they can devise planning agreements, with his co-operation, to diversify their economies and to plan the future of those single-industry towns? Will he do that one thing?

Hon. Mr. Peterson: We have been doing that, and we are in the process of doing that all along the way.

Mr. Foulds: Are you doing that in Terrace Bay?

Hon. Mr. Peterson: Yes, I was in Terrace Bay, Longlac and Nakina, and we are working on development programs and on a variety of other things. A lot of things are going on, of which perhaps my honourable friend is unaware.

I understand his Churchillian intonation; give them the tools and they will do the job. He has been listening to some of my speeches. We have responded in every way. When we have been asked for assistance, we have tried to be forthcoming, and I think we have been. My friend will have to admit that.

He wants it both ways. He wants us to sit here and produce all the solutions and on the other hand give the people the tools to do the job. We are working with them in co-operative ways. We have created northern development councils, as the member will be aware. People are very enthusiastic about the input.

Interjection.

Hon. Mr. Peterson: My honourable friend has his biases. He should listen to the mayors. My friend opposite does not have much respect for the mayors of northern Ontario, but I do. His worship Mayor Fratesi, talking on their behalf, was speaking optimistically about the new spirit of co-operation, the jobs that have gone north, the diversification of this government and its real commitment to northern Ontario. The remarks of my friend opposite today are born out of some personal insecurity.

14:20

Mr. Gordon: Mr. Speaker, on a point of order: The Premier has made a remark, which imputed motives, about my references to the mayors. What I said was that whenever ministers do show up, the mayors of Ontario do come forward and they treat everybody politely.

Interjections.

Mr. Speaker: Order. I listened very carefully. There was some reference. I will ask the Premier whether he wishes to reconsider his reference.

Hon. Mr. Peterson: Excuse me?

Interjections.

Mr. Speaker: Order.

Mr. Stevenson: It is just the Premier's usual smear. He would not have noticed he said anything out of line anyway.

Mr. Speaker: Order. I was listening, trying to hear what was being said. I will have a look at it. New question.

Mr. Gillies: Don't worry, Mr. Speaker; it was just the Premier sneezing on somebody.

Mr. Speaker: Order. It would be very nice if we could hear what was taking place in the Legislature.

NURSING HOMES

Mr. Cousens: I have a question for the Attorney General on a matter raised yesterday by our leader. We have given the Attorney General 24 hours to think of an answer, because it is much the same question. The question has to do with the Birthe Jorgensen report on criminal abuse of the elderly, a report that has been in the hands of officials his ministry for more than six months. It has also been in the hands of the Ministry of Health for more than six months.

In the light of this mass of evidence and the massive lack of action by people within his ministry, will the Attorney General take action for an immediate review of the respective opportunity to do something to help the people of our province?

Hon. Mr. Scott: I am grateful for this question. I have made inquiries. A press release issued by the Leader of the Opposition refers to the Jorgensen report as a secret report. It was a report that was made available to every student in the bar admission course and every person who attended the series of public lectures given by the Law Society of Upper Canada. A representative of my ministry, along with hundreds of other people in Toronto, received a copy at the time.

I have now read the report, which makes two points. The first point the report makes is Dr. Jorgensen's concern that if it comes to the attention of persons, relatives or others that criminal offences have been or may have been committed, these should be reported immediately to the police. We agree with that. There is no point of dispute with that.

She makes a second point with reference to some old cases, some of which are five years old. Those cases were reported to Concerned Friends of Ontario Citizens in Care Facilities on a confidential basis and did not go to the police as they should have. I agree with her comment on

that. There is nothing in the report apart from that.

On Monday, the Minister of Health (Mr. Elston) asked the Solicitor General (Mr. Keyes) whether he would direct the Ontario Provincial Police to conduct an investigation. The Solicitor General said he would, and my ministry offered any legal assistance that might be required in that exercise. That is the whole story. The report has been public for six months. We agree with the points it made.

[Interruption]

Mr. Speaker: I remind everybody in the galleries that demonstrations of any sort are out of order.

Mr. Cousens: The rating given the Attorney General's questioning is 2.2 from the Toronto Star and three from the Toronto Sun. Out of 100, that means he will not go far.

It has taken six months for the minister to come up with an answer to help our seniors and to show some concern. It would not have happened if our leader had not raised the question. It would not have happened unless this crisis had become real. Why does the minister not—

Interjections.

Mr. Speaker: Order. New question.

Mr. Cousens: I was beginning the question. I asked, "Why does the minister not"—

Mr. Speaker: Order.

Mr. Cousens: —and I just want to finish it.

Mr. Speaker: Order. No. New question.

Mr. Harris: On a point of order, Mr. Speaker: There may have been interjections, but I do not know why you feel interjections by others are a reason to cut off the question.

Mr. Speaker: Order.

Mr. Harris: The member was about 15 seconds into the question—

Mr. Speaker: Order.

ALGOMA CENTRAL RAILWAY

Mr. Morin-Strom: I have a specific question for the Premier about the workers in Sault Ste. Marie and Wawa whose jobs are now threatened by the freight rate confrontation between Algoma Steel Corp. and the Algoma Central Railway. Those companies have asked for a \$5-million government assistance program from both governments at the same time as they are asking for wage concessions and threatening closure of their operations.

In the past two days the Premier has had the opportunity in the Sault to discuss this issue, at

least with the company officials. Can he give us his assurance that, as an essential condition of any provincial government financial assistance, he will insist on long-term job guarantees for the workers at the ACR and at the mines in Wawa? Is that not the kind of positive action we need?

Hon. Mr. Peterson: Last week, the honourable member was proposing I buy the railway; so I am interested in this new idea he has.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Peterson: The member knows there are ongoing discussions among the various parties, including the federal government. I read the other day that it is prepared to participate in these discussions. I view that as a step forward. There are no conclusions as yet. As I understand it, there was an erroneous press report that Wawa was going to close down. To the best of my knowledge, that is not anyone's decision. We are going to do everything we can to keep that mine open, but I am not in a position to report to my honourable friend on the results of the ongoing discussions.

If I am talking too long, Mr. Speaker, perhaps I can do it in a supplementary, but I did say to the people there—I am sure the member heard me, unless he was one of those who came to the conference, complained it was not long enough and then left early. I am not sure whether he was one of them; if he was, I did say it is my view that we have to develop a more co-operative attitude in northern Ontario among the various players. I am hopeful the interested parties will get together and come up with proposals. We are prepared to—

Interjections.

Mr. Speaker: Order.

Mr. Morin-Strom: Someone in the ministry should have informed the Premier that I was one of those who lasted. I stayed longer than he did at the conference. I certainly did not leave early. I do not know about his cabinet ministers, but I did not leave early.

My question was on the issue of job guarantees, one of the things we have to insist on when we provide government assistance to corporations asking for such assistance to keep their operations going. Workers should be assured that they have a long-term future with those operations. Is the Premier going to insist on job guarantees for the ACR workers and the Algoma Steel workers at Wawa before the provincial government participates in any program to assist

with the freight rate problem facing those companies?

Hon. Mr. Peterson: I apologize to my friend opposite. He is quite right. He was there. It was his leader who came into town, said the conference was not long enough and then left before it was over.

As the member knows, one of the things being suggested now, if some kind of agreement is not made, is that the mine could be closed down. I am not suggesting that is right, but there is some such discussion going on at the moment. Obviously, our concern is to guarantee the jobs at Algoma Steel in Wawa and at the ACR. There is a very serious interconnection between all of them.

I am not sure what my honourable friend is asking me to do in terms of the kind of job guarantees, for how long, for what period of time and at what levels, but that will be the principal concern of our involvement. There is no other point in getting involved in the discussions other than to protect those jobs on an ongoing basis.

That will be our concern, and I will discuss this with my honourable friend as it goes along. The discussions, as he knows, are at a somewhat tentative stage. It is something that concerns everyone who cares about the Sault, but there is not a resolution.

14:30

NURSING HOMES

Mr. Cousens: The Attorney General (Mr. Scott) has decided not to answer a question, for which we would give him a rating of next to nothing. I want the Minister without Portfolio responsible for senior citizens' affairs to have a try at it, because we are talking about an important report on criminal injustices, on abuses that are going on within seniors' institutions within our province. Nothing was done in the Attorney General's department. Nothing has been done by the Ministry of Health. What has the minister done about this in six months?

Hon. Mr. Van Horne: The member will realize that my role as the Minister without Portfolio responsible for senior citizens' affairs is that of a co-ordinator and developer of new plans and new activity, which are long overdue, I might add. Much of our work was presented to the House in the form of a white paper, *A New Agenda*, back in June. I am pleased to report to the member that we are now working on the implementation of that new agenda.

Mr. Cousens: I regret it would seem the minister has not even seen the report, let alone

read it. What we are hearing now is just an example and proof that something should be done and has not been done. Will the minister support some kind of advocacy centre or support group to watch over the needs and cares of seniors, to start something real?

Hon. Mr. Van Horne: I made reference to the white paper, which is a policy paper, a very definite statement of the government's intention to act. If the honourable member had taken the time to read that, he would have seen that on page 17 there is a definite reference to a major piece of work that my colleagues and I are undertaking. Part of that piece of work will address itself to the theme of the rights of people in institutions, whether rest homes, nursing homes, homes for the aged or whatever.

TARIFFS ON SOFTWOOD LUMBER

Mr. Laughren: I have a question for the Minister of Industry, Trade and Technology concerning the Conference on Northern Competitiveness. Will the minister tell us why he allowed that conference to go on without any reference to the 15 per cent duty that the United States is imposing on softwood lumber? Even the consultants admitted that forestry was a key component of the northern economy. How could the minister let that issue not be dealt with during that entire conference?

Hon. Mr. O'Neil: The member should be aware, if he is not, that one of the writers of that report dealt with the lumber issue in quite some detail on the first afternoon.

Mr. Laughren: I am truly puzzled by the minister's response, because that issue was never dealt with at the entire conference. Did the minister allow that to happen because of the sense that he was a willing accomplice to the fact that the federal government admitted the 10 per cent deficiency and agreed to it ahead of time? Is that why the minister allowed a conference on northern competitiveness to happen without ever dealing with the 15 per cent tariff? When the minister is responding, will he also tell us what he intends to do now about that 15 per cent tariff?

Hon. Mr. O'Neil: As I mentioned, one of the panelists dealt with the lumber issue in general. There were also questions in some of the workshops that dealt with the problem of the 15 per cent.

Meetings are going on concerning that 15 per cent levy. As late as yesterday, officials were meeting in Ottawa. The Minister of Natural Resources (Mr. Kerrio) will be going to Washington tomorrow on this same issue.

RESIDENTIAL RENT REGULATION LEGISLATION

Mr. Gordon: I have a question for the Minister of Housing. I would like to take him back to last Thursday's meeting of the standing committee on resources development. He told the committee that he had met with the Association of Municipalities of Ontario and that it was satisfied with the arrangements he had made with regard to municipal enforcement of maintenance standards and so forth. When questioned by the member for Rainy River (Mr. Pierce), who is a member of that committee, as to whether he was happy and they were happy with it, he indicated yes.

We have talked to the Association of Municipalities of Ontario and it refutes that. AMO says it has very serious reservations about sections 14 and 15. Will the minister tell the House how he attributes one reply to AMO and it attributes another reply that no, it is not happy?

Hon. Mr. Curling: I will refresh the honourable member's memory. When I was asked in the resources development committee whether I had met with AMO, I reported I had met with the AMO executive and that I had presented to it sections 14 and 15 of Bill 51. I also expressed to the member at that committee meeting that the AMO executive had raised concerns about some sections of it. I did not say to him that they were happy about it in its entirety.

Mr. Gordon: I have here the minutes of the resources development committee. I can send them over to the minister. I would like him to read them. His answer does not jive with the facts in this minute from the resources development committee. Will the minister tell the House what steps he is going to take to be better informed on matters such as this? Is he going to take certain steps to be more accurate? As the minister knows, in the committee it is a matter of trust and a matter of questions and answers. Is he going to be more accurate and better informed, and when?

Hon. Mr. Curling: To make the record clear, we need the co-operation of the opposition and all the members on the committee. We need the co-operation of all the mayors across the province. We will be promoting a very extensive campaign about our bill as soon as it is passed so as to make the law one of the most effective bills this house has ever seen. It is unfortunate if he got the impression I had full endorsement for sections 14 and 15 of the bill. I indicate again that I stated the sections of the bill to the AMO executive and it indicated some concerns. I told

them we would take that into consideration and present it to the committee when we go through clause-by-clause.

LAYOFFS IN SUDBURY

Mr. Martel: I have a question for the Premier. I was at the conference. Does he realize that we in the north have been investigated, scrutinized, analysed, dissected and studied to death? There are enough studies to fill his office. What is lacking is the commitment. I have a question on jobs. The Premier talked to his friend Jesse James last week or the week before about the layoffs at Falconbridge. Can he tell us the results of the discussion he had with Mr. James about the loss of 275 jobs in Sudbury?

Hon. Mr. Peterson: I did have a meeting with him. I believe his name is Bill James, president of Falconbridge.

Mr. Martel: Call him what you want.

Hon. Mr. Peterson: I was just passing it on. My friend needed to be corrected. He was standing in this House saying he has been analysed. Is that what he was saying?

Mr. Martel: The north has been analysed, scrutinized and studied.

Hon. Mr. Peterson: Oh, I am sorry. I apologize to my honourable friend. Sometimes I have problems hearing on this side of the House.

I had quite a discussion with Mr. James and he pointed out the price of nickel and some of the problems my friend will be aware of. I said to Mr. James that I believe the problem is serious in terms of the repercussions with the community. The member is aware, I am sure, of some of the plans that have been talked about publicly with Falconbridge. I told him those layoffs present a very serious problem to me.

14:40

He made the point that the Kidd Creek operation was independent of the Sudbury operation. I know my honourable friend will not agree with that. I am just reporting his conversation to me when we met last. I told him our obvious concern as a government is to see the employment levels maintained and, indeed, increased as much as possible.

As the member knows, he was not able to give me with absolute certainty what the employment levels will be, given the price of nickel and the marginal nature of some of the ore bodies being mined at the moment.

I am sure my friend has heard all of this. I am sure, at the same time, he is not satisfied with some of it. What I did say to Mr. James was that

he has a responsibility to explain that position to the community, to the workers particularly, so that they have a very clear view of what Falconbridge's plans are in long run in the Sudbury basin area.

Mr. Martel: Since the company intends to proceed with the layoffs anyway, those who took early retirement plus those it is going to let go anyway, what action is this government intending to take to make sure that does not occur? We have to get all the facts. What is this government prepared to do to make sure? Jesse can bamboozle anybody with words that are not necessarily always factual.

Hon. Mr. Peterson: I have met Mr. James before. I have run into a lot of smooth talkers in my life. I consider the member one of them. I will say to my friend that he and Bill James are a real match for each other. I am not sure who I would bet on if you both went toe-to-toe.

I did say to Mr. James, and I say to the member, I believe the company owes a frank explanation to the community from which it has extracted so much in the past many years. I think he has taken my advice to heart. I am hoping that will be forthcoming in the very near future. He told me he was going somewhere for a week or so on a business trip. I hope it will result therefrom.

He told me he has had many conversations with the member. He happens to like the member very much, as a matter of fact.

Mr. Martel: Oh, I like James.

Hon. Mr. Peterson: As I said, the member and Mr. James are two of a kind. I am hoping the member can arrange a forum where he can put in a very frank and open way his particular concerns to him and he can address them. The member is asking me if I am going to bring in legislation to prevent the layoffs from happening. I am not in a position to say that at the moment, but our job is to work with that company and with the workers to try to maintain those jobs.

EMERGENCY HOUSING

Mr. Cousens: I have a question of the Minister of Community and Social Services. The people of Ontario will not forget Drina Joubert and the plight of thousands like her.

In February 25, 1986, a coroner's jury investigating the death of this lady cited the reasons for death to be "exposure, accident caused by alcoholism, mental illness and homelessness, and failure of our support system to deal with these problems." How many more Drina Jouberts will become victims of an inadequate social service network this winter?

Hon. Mr. Sweeney: I remind the honourable member that Drina Joubert had available to her living accommodation on that night, not just in the hostel system but in an apartment of her own which was available to her. It was not the lack of availability.

Put that aside. One of the recommendations of the coroner's inquiry was that more permanent housing should be made available. A beginning has already been made on that. The member will probably be aware of the fact that Street Haven, run by Peggy Walpole, has now established a second home right next door to where it is now, for longer-term shelter accommodation.

The member will also be aware of the fact, because I responded to another question earlier, that the Habitat program—a joint service of the municipality, the Ministry of Health and my ministry, which will provide longer-term shelter for ex-psychiatric patients with some of the same kinds of problems that Drina Joubert had—has now been established and will be operational within a very short period of time.

People will then have a placement service, they will have an ongoing case management service and they will have an increase in their benefits from my ministry so that the operators of the homes can afford to provide a greater range of services. We have made a beginning.

Mr. Rowe: In addition to the woman in Barrie who last week gave her children to the children's aid society so that she could seek housing, I am now aware of a family with three children. The father and son are living in a house with no heat at this time of year and are facing eviction within 10 days. The mother and two children are living elsewhere.

The housing predicament for the needy is reaching a crisis in Barrie. Will the minister give us the assurance that his staff will at the very least investigate this crisis and attempt to offer some sort of solution to these people who are in so much need right now?

Hon. Mr. Sweeney: Most certainly. My office in Barrie is available at any time. The member well knows that because we have provided an information service both to him and to his staff about the services that are available. All that anyone in the member's community, including the member himself, has to do is to contact the office and have a case manager go out and take a look at the services. If there is a need that is met by my ministry, we will most certainly help.

In respect of shelter, as the member knows, my ministry is responsible for emergency shel-

ter. It works very closely with the municipality. Most certainly, in response to the question, we will give whatever assistance we can immediately.

EXTRA BILLING

Mr. D. S. Cooke: In the absence of the Minister of Health (Mr. Elston), I will ask the Premier a question. In view of the statement released yesterday by the Ontario Medical Association and in view of comments by Dr. Peachey in the papers this morning, in which he says he considers it legitimate for a doctor to charge a patient for being available, whether or not the patient calls a doctor—in other words, that standby fees are in line with the OMA statement of yesterday—can the Premier indicate whether, in his opinion, it is legal to have the \$500-standby fee that obstetricians have here in Toronto?

Hon. Mr. Peterson: The honourable minister asked me to tell the honourable member he regrets he cannot be here today. I understand he is attending a meeting in Ottawa with his peers from across the country. He did issue a statement yesterday, as I understand it, expressing some concerns about what had transpired. I understand he will be meeting with the OMA on that issue, and I am sure he will be very happy to report back to the member.

Mr. D. S. Cooke: It has now been several months since the Minister of Health first met with the College of Physicians and Surgeons of Ontario. He has met with the OMA in the past. Yesterday we were supposed to get clarification of what the OMA considered to be appropriate and what it did not. In the minister's statement yesterday, he said, "While it is true that billing for uninsured services is not a new practice, I have some reservations about the OMA's guidelines contained in its letter."

If the minister still has reservations after several months, when is the government going to pass legislation to give it the enabling power to control these types of ripoffs that doctors are instituting in Ontario?

Hon. Mr. Peterson: As I told the member just a moment ago, the minister will be discussing this matter, and the letter that was supposed to clarify the issue, with the OMA. It may have clarified it in some minds, but I know the minister has some concerns. As I said, he will report back to the member on that.

MINISTRY REGIONAL OFFICE

Mr. Barlow: I have a question for the Minister of Industry, Trade and Technology with regard to

the reorganization of the ministry's field office in the Kitchener area. I understand that the director of the Kitchener office and two business consultants are being moved to Hamilton and, further, that other staff are perhaps being moved to London, at a time when industrial expansion in the cities of Kitchener, Waterloo, Guelph, Cambridge and the entire area is literally booming.

Can the minister please explain why he is reducing the ministry's presence in our community and threatening the economic wellbeing of the fastest-growing region in all of Canada?

Hon. Mr. O'Neil: I discussed that same issue with my officials as late as last evening. I can assure the honourable member that no definite decision has been made. If a decision is made in that regard, I will make sure the same coverage, if not better coverage, is received by the people in that area.

14:50

Mr. Barlow: If change is necessary, or if change is even being discussed, can the minister tell me whether he has discussed it with the member for Kitchener (Mr. D. R. Cooke), the member for Kitchener-Wilmot (Mr. Sweeney) or his own small business advocate, the member for Wellington South (Mr. Ferraro)? Has he discussed it with them prior to making a decision or perhaps advising the staff and the whole region that this is going to happen?

Hon. Mr. O'Neil: Yes. Those concerns have been made known to me by the members mentioned by my friend. I will make sure the same coverage, if not better coverage, is maintained for that area. No definite decision has yet been made on the issue.

TOURISM IN NORTHERN ONTARIO

Mr. Pouliot: I have a question for the Minister of Tourism and Recreation. When I went to the Conference on Northern Competitiveness, I and other delegates heard nothing of the very important northern component that is his area of responsibility: tourism.

How can his ministry, or the government he represents, justify the spending of \$164,000 of taxpayers' money directed for the benefit of high-priced consultants and yet omit the real possibility of tourism, the very important component of tourism, as it affects northern Ontario?

Hon. Mr. Eakins: I am pleased to reply to the honourable member, because in the past year there has been a renewed spirit in the tourism industry in northern Ontario. One thing I have

found out about the people in northern Ontario is that they are so interested in the tourism industry now that they want to talk about it 24 hours a day, seven days a week, and I think that is wonderful.

One of the reasons for the meeting yesterday and the two days in Sault Ste. Marie was to discuss some of the problems of northern Ontario. The tourism industry was represented there. I am pleased that because of the work of our ministry and the co-operation of the people of northern Ontario, it has been a banner year for tourism. All the member has to do is to read the North Bay Nugget. It has been one of the best years ever for tourism because of the work of this government.

Mr. Pouliot: I am not interested in platitudes dealing with the ancien régime. I am more interested in having specifics with regard to co-ordinating efforts. What precise mechanism and specifics is the minister willing to offer the entrepreneurs of northern Ontario to give them the tools to deliver the real industry that tourism could be?

Hon. Mr. Eakins: Last April, we started with our series of roundtable conferences in northern Ontario. Six conferences were held in northern Ontario, and they were well attended. I believe all the members from the north were invited to attend those. As a result of the roundtable conferences, we announced in Sault Ste. Marie, in July, four initiatives for northern Ontario. They have been well received. The people in the north are enthused about those, and that is why we have seen a banner year for tourism in the north.

GASOLINE PRICES

Mr. Morin-Strom: I have a question for the Minister of Energy about high gasoline prices in northern Ontario. This is one issue the consultants did get correct in their study when they reported that gasoline, on average, costs five cents a litre more in northern Ontario than in southern Ontario.

At the same time, northerners have to drive longer distances and, in so many instances, have to transport their goods and services from southern Ontario to the north. How can the north be competitive when it is saddled with that higher cost burden? When is the minister going to do something in reaction to his own study on this issue?

Hon. Mr. Kerrio: It flows from the question that we are going to do everything we can to encourage and do things for northern Ontario that would relieve the pressures of transportation and

distances travelled. However, we are not the only players in this game. The federal government plays a major role.

One of the things that happened with the federal government was that when it purchased Gulf, it reduced the amount of competition. It is about time, if the federal government wants to participate in a major way in refineries and in the whole issue of gasoline and gasoline prices, it has stations right across Canada. It appears to me that the outlets of Petro-Canada have higher gas prices than any other stations in Ontario. Therefore, the players down in Ottawa, the kissing cousins of the members across the way, have a very important role to play.

PETITION

RESIDENTIAL RENT REGULATION LEGISLATION

Mr. Hennessy: I have a petition for the Minister of Housing (Mr. Curling):

"Dear Mr. Minister:

"I'm enclosing for your information a copy of a petition I received that is signed by 15 tenants who are strongly opposed to any rent increase over four per cent.

"I support their request and hope you will give this matter your kindest and most serious consideration."

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr23, An Act respecting the Town of Markham.

Your committee begs to report the following bill as amended:

Bill Pr6, An Act respecting the City of Windsor.

Mr. Speaker: Shall the report be received and adopted?

Hon. Mr. Nixon: On the report, I have been informed by the Minister of Labour (Mr. Wrye) that Bill Pr6, An Act respecting the City of Windsor, deals with a matter involving the policy of the Ministry of Labour that is already before the House in the form of Bill 101. The Minister of Labour indicated that this matter was brought to the attention of the committee and that advice

was available indicating there was a duplication of subject matter.

He asked me to bring this to your attention, sir, and since you have had no notice of this difficulty, I ask that you review the matter before we proceed further with Bill Pr6. We are not opposing the acceptance of the report, but before it goes a further step, perhaps we could have the benefit of your advice in this matter.

Mr. McClellan: On a point of order, Mr. Speaker: Because of the high level of uproar in the chamber, I could not hear what the government House leader was saying. Could I ask him to repeat?

Hon. Mr. Nixon: I simply indicated we were expressing a concern that Bill Pr6 dealt with a matter that was involved with public policy through the Ministry of Labour currently before the House in Bill 101. I asked the Speaker to review the matter, not that we should not accept this report at this time but that before it goes another step, he might provide his view.

Mr. McClellan: That is what I thought he said.

Hon. Mr. Nixon: Thanks very much.

Mr. McClellan: No. I wanted to make sure I had understood. It was not entirely clear that I had understood the point that was being raised.

This is similar to a point of order the government House leader attempted to raise in vain last week having to do with business before committees. I believe the amendments the government House leader refers to were accepted as being in order by the chairman of the standing committee, and they were dealt with, as I understand it, without objection. I may be incorrect, but I do not believe any objections were raised, either by the Minister of Labour or by anybody else, when the amendments were put forward to Bill Pr6.

At any rate, whether or not objections were raised, the amendments were found to be in order by the chairman and the committee, and they have been dealt with by the committee. The bill will be coming back into the House as a properly amended bill, amended by amendments that were properly in order, if I may say, in exactly the same way Bill 105 will be coming back into this House in a few short weeks.

I do not believe anything is out of order, Mr. Speaker, and I submit to you there is nothing for you to review.

15:00

Mr. Speaker: Are there any other comments? The member for Nipissing?

Mr. Harris: I think it has all been said, Mr. Speaker.

Mr. Speaker: There is a suggestion before the House that the report be received and that it can still be reconsidered. That is the way I understand it.

Hon. Mr. Nixon: If you want my assistance in this—I know you are not asking for it—we do not want to stop the acceptance of the report. Representing the government party, I want to point out that there is a problem with the amendments not being in order, since they deal with matters already before the House. I know this is a difficult matter for me to comprehend, although it appears to be very simple for spokesmen for the opposition parties to comprehend. I am asking you as Speaker to take whatever advice you choose and give us your opinion before that bill goes a stage further.

Mr. McClellan: I do not recall any procedure in standing orders for a bill to be reported back to the House for reconsideration. The report is that the bill be reported, without any qualifications. It was dealt with by the committee, and the committee's work was in order. There is nothing out of order, and there is nothing that allows or permits the government House leader to send this bill off the rails.

Hon. Mr. Nixon: I am not suggesting the bill go off the rails. When it comes before the House for third reading, I will suggest to the honourable member, the Speaker and everybody else that it is out of order. It might be appropriate if the Speaker had a chance to look at it before that time.

Mr. Speaker: As I understand it, the report has been presented by the chairman of the committee. I placed the motion, "Shall the report be received?" and I will place that motion again. Is it agreed to?

Motion agreed to.

Mr. Speaker: I will look at that further.

Mr. Laughren: I wish to speak on a different matter. If the member for Nipissing has something to say on the same matter, I will stand down.

Mr. Harris: On the same point of order, Mr. Speaker: I am not sure what the government House leader was putting before the chamber. He is talking about asking you to pre-rule on something he says he is going to raise at some time. I suggest the whole intervention by the government House leader is out of order. At such time as he has something he feels is out of order, he can request the Speaker to look at it.

Mr. Speaker: The report is before the House. It has been approved; it has been agreed upon.

Mr. Laughren: Mr. Speaker, I stand to correct the record. I will leave it up to you to decide which record needs to be corrected. In the assembly this afternoon, the member for Sudbury (Mr. Gordon) indicated he was not yet 42 years old, yet the Parliamentary Guide indicates he is 49 and flirting with 50. It seems to me we cannot allow that contradiction to remain on the record, and I ask that you rule on it.

Mr. Speaker: That is a very important subject. However, we have a means by which members can correct their own records. You cannot correct someone else's record.

MOTION

COMMITTEE BUSINESS

Hon. Mr. Nixon moved that, in the standing committee on social development, further consideration of the estimates of the Ministry of Skills Development be postponed until following the consideration of the estimates of the office responsible for seniors citizens' affairs.

Motion agreed to.

ORDERS OF THE DAY

POWERS OF ATTORNEY AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 72, An Act to amend the Powers of Attorney Act.

The Deputy Speaker: Does the minister have any opening comments?

Hon. Mr. Scott: The Speaker will remember I made opening remarks when the bill was introduced. I believe this bill will obtain the support of the House. It is designed to remedy a defect incorporated in the Powers of Attorney Act, which was passed in 1979 as chapter 386.

Section 5 of the act provides that "a provision in a power of attorney expressly stating that it may be exercised during any subsequent legal incapacity of the donor is valid and effectual," subject to the conditions in it. Section 7 provides that "a power of attorney that contains a provision referred to in section 5 may be revoked by the donor at any time while he has legal capacity."

Section 3 of the Powers of Attorney Act is designed to permit a person invited to act under the power of attorney to do so if he is acting in good faith and without knowledge of any actual termination of the power. Banks and a number of other commercial lenders that recognize powers

of attorney from time to time take the position that section 3 is inadequate to protect them. The result is that donees of the power of attorney and donors who may be responsible have been embarrassed by the failure of the bank to honour the power of attorney when it should be perfectly safe for the bank, which is without knowledge of termination, to do so.

The amendment, Mr. Speaker, with which I know you are thoroughly familiar, is put before the House to remedy that perceived defect and to make it possible for banks and other such institutions to accept powers of attorney in the way contemplated by the 1979 statute.

Mr. Eves: We certainly support this piece of legislation. As the Attorney General has quite properly pointed out, some very important legal questions have been raised about the adequacy of the legislation since the amendment to the act in 1979.

The purpose of this amendment is to clarify the protection offered by section 3 of the present act and to ensure that it is available whenever the authority of the power has been terminated, revoked or become invalid. The person who has relied upon it or who has no knowledge of the termination, revocation or invalidation will be protected. We support the protection of innocent third parties, and we believe the legislation should be made consistent with the prior amendments to it.

Ms. Gigantes: It is always a pleasure for the New Democratic Party to provide support and a legal framework within which our banks and insurance companies can safely provide service to members of the public. We know our insurance companies and banks are most reluctant to put themselves in a position, for example, under family law legislation or the Powers of Attorney Act, where they might have to provide services to the public that they may feel they should not be providing. We know that institutions such as banks and insurance companies quake at the thought of being put in an invidious legal situation.

We are most pleased to be able to support this amendment.

Hon. Mr. Scott: I thank the honourable members for their support of this bill.

Motion agreed to.

Bill ordered for third reading.

15:10

EMPLOYMENT STANDARDS AMENDMENT ACT

Hon. Mr. Wrye moved second reading of Bill 128, An Act to amend the Employment Standards Act.

Hon. Mr. Wrye: It is my honour to rise and begin this assembly's debate on the principle of Bill 128, An Act to amend the Employment Standards Act.

In my view, this bill is concerned with no more and no less than the competence of this Legislative Assembly to pass and sustain law that is written in the public interest and for the benefit of workers in Ontario. Since it was first constituted in 1867, the Legislative Assembly of Ontario has enacted law to help ensure that working people are treated fairly by employers.

Over the years, one of this assembly's most important instruments for ensuring such fairness has been the Employment Standards Act. That act requires employers to provide pay, benefits and working conditions that at least meet minimum standards in 13 work place concerns, which include wages, hours of work, overtime pay, public holidays and vacation with pay. It has been to the great regret of this assembly that in recent years economic conditions have been such from time to time as to require significant use of the provisions of part XII of the act.

As honourable members know, that part obliges employers to make special payments to employees if they lose their jobs. The key special payments part XII prescribes are severance pay when a permanent closure, full or partial, involves at least 50 workers and pay in place of sufficient notice of job loss.

It is important for us in this Legislative Assembly to remind ourselves of when and why members voted to prescribe severance pay and pay in lieu of notice of termination to begin with. Those provisions were written into the act at a time when there were significant plant closures and employee layoffs. Most especially, they were written into the act at a time in which loyal, able employees of long-standing were losing their jobs because of economic circumstances. They were written into the act because the Legislative Assembly of this province concluded that in our time and place it was right and just for employers to make special acknowledgement of what employees were about to lose and to make special provision to ease the adjustment those employees were being obliged to make.

I want to take a moment to go into this in a little more detail because a clear understanding of the

principles that underpin this Legislature's thinking is important. Let us start with severance pay.

As I have suggested, the principal intention of severance pay is to make special acknowledgement of what an employee, and most especially a long-term employee, loses when a closure occurs. When the employee loses his job, he loses the fruit of all that goes with it, that he has invested in it, such as special valuable knowledge, seniority, pension entitlements and so on. Those provisions are gone for ever. Once the doors of the enterprise close, he can never reclaim them.

The severance pay provision of the Employment Standards Act is designed to recognize this and to ensure compensation for it. The concept of severance compensation parallels the concept that underlies a person's legal entitlement to a lump sum payment in recognition of the loss of a spouse who has been killed on the job. In most respects, obviously it is not appropriate to compare the loss of a spouse with the loss of a job. Having said that, it can be pointed out that in the case of a spouse killed on the job there is an acknowledgement, as prescribed by the community through the Workers' Compensation Act, of special and permanent loss and the provision of special compensation for that special loss. In the case of the loss of a job, there is an acknowledgement, as prescribed by the community through the Employment Standards Act, of special and permanent loss and the provision of special compensation for that special loss.

Let me deal with pay in lieu of notice of termination. The Employment Standards Act requires employers to give employees appropriate notice of layoff and job loss—the longer the employee's term of service, the longer the notice in the case of an individual layoff, and the larger the group, the longer the notice in mass layoffs. Notice itself is prescribed in the act, because the community has concluded that the employer has an obligation to provide the employee with a period in which the employee can digest the notion of impending job loss, organize his affairs and adjust his thinking, practically and emotionally. The notice period itself constitutes special compensation for special circumstances. If the notice period is not forthcoming, the community—

Mr. McClellan: On a point of order, Mr. Speaker: Unless I have misunderstood something or I am dealing with the wrong statute, I have An Act to amend the Employment Standards Act here. It does not amend notice or deal with any of the things the minister is talking about. Is the

minister planning to bring forward additional amendments?

Hon. Mr. Wrye: No. The nature of the debate I want to put forward to the House will become clear as my remarks continue.

Mr. McClellan: Is the minister trying to pretend he is doing something he is not doing?

Hon. Mr. Wrye: No.

The Deputy Speaker: Order. The point is well taken. I was having some difficulty tying in the minister's remarks with the bill, but I am sure they will.

Hon. Mr. Wrye: They will. I want to make that clear to my friend. There are no amendments to the bill.

The notice period itself constitutes special compensation for special circumstances. If that period is not forthcoming, the community, through the Employment Standards Act, obliges the employer to provide special compensation, none the less. In short, both severance pay and pay in lieu of notice, as prescribed by part XII of the act, constitute extraordinary payments to compensate for extraordinary events and circumstances.

They manifest the philosophy that recognizes that the relationship between an employer and an employee is not a relationship between master and servant. They recognize that in many cases, over many years, the employee in a very real sense has invested himself in the job and in the enterprise by virtue of his investment of time, energy, loyalty, commitment and plain hard work.

Through the act, the people of Ontario, as represented in their Legislative Assembly, have determined that it is right and just to compel an employer to acknowledge such an investment if it comes to pass that a person's employment must be ended. No one in this day and age, and most certainly no man or woman of goodwill and generous heart, would take genuine issue with the notions of equity and social justice in part XII of the act.

This is why the government, through Bill 128, which is now before the House for second reading, is moving to ensure that those special compensatory payments are vouched safe from harm. As the members will recall, potential for such harm was realized on March 31, 1985, when new provisions of Canada's national unemployment insurance system took effect. These new provisions are having the net effect of denying to Ontario workers, whose jobs have been ended, the special severance and notice

payments to which they are entitled under the Employment Standards Act. The reason is that the government of Canada is taking these special payments into account when it calculates the unemployment insurance it proposes to make to a worker whose job has ended.

Permit me a simple theoretical example of how this is working. Let us say for the sake of discussion that a person has worked for an employer for 25 years, has paid unemployment insurance premiums all the while, is now earning \$300 a week and has been told that his job and the jobs of at least 49 of his co-workers will end next Monday morning when the plant is closed permanently.

Under the provisions of the Employment Standards Act, that person would be entitled to a severance payment of \$7,500 and a notice payment of \$2,400, for a total of \$9,900 in special compensation. Under the provisions of the national Unemployment Insurance Act, the worker would be entitled to a UI payment of \$180 per week, 60 per cent of his total weekly salary, for 52 weeks.

In the example I am offering, where the termination begins next Monday, November 10, UI benefits would begin to flow for the week of November 24 and at a maximum would be payable for 50 consecutive weeks from that date. Under the new unemployment insurance regulations, as they became effective on March 31, 1985, our worker will not be paid UI benefits for 33 weeks. The reason is that when it changed the UI regulations, the government of Canada decided that special payments for severance and notice would be looked upon as ordinary income.

In the eyes of the unemployment insurance system, our theoretical employee's severance payment is deemed to be 25 weeks of ordinary income by another name and his notice payment is deemed to be another eight weeks of ordinary income by another name. As a result, our employee is, in effect, denied his rightfully earned special payments for special circumstances as mandated by the people of Ontario through their Legislative Assembly and its instrument, the Employment Standards Act.

15:20

Frankly, when the changes in the unemployment insurance regulations were first announced in November 1984, just two months after the current federal government took office, this assembly, the government of Ontario, other assemblies in Canada, the labour movement and other responsible voices concluded that the new government in Ottawa had not fully appreciated

the prospective impact of its new rules on working men and women whose circumstances had just taken a desperate turn. Not surprisingly, my predecessor wrote to the federal government setting out his concern.

It did not take very long for this assembly and for the Ontario government of the day to realize in no uncertain terms that the government at Ottawa understood very clearly that the net effect of its actions would be to deny Ontario workers their rightfully earned special payments. In the 16 months that I have been Minister of Labour, I have sent strongly worded letters and telegrams of objection to the federal minister. The government of Ontario has been joined by other provincial governments. In addition, my officials and I have met with our counterparts in Ottawa seeking ways to resolve the issues. Unfortunately, all our efforts have been to no avail. The government of Canada has not been deterred from implementing its policy.

I deeply regret that we have not been able to settle this matter with the government at Ottawa. In that context, the government of Ontario and this Legislative Assembly obviously have no choice but to move by law to protect what the working men and women of this province have earned by the gift of their minds, the nimbleness of their hands and the strength of their backs. Bill 128 is designed uniquely to provide that protection.

This bill is in plain reality directed solely at upholding the severance and termination pay provisions of the Employment Standards Act. That there is a profound distinction between severance and insurance is clear when we consider the fundamental difference in their natures. In an insurance scheme, a person pays a premium to provide the financial protection against the risk of some specified loss. There is no similarity whatsoever between that system and the system of severance payments.

There is yet another aspect to the federal government's policy which deeply troubles the government of Ontario. It touches the very heart of the federal parliamentary system, by whose laws, customs and traditions we are all governed. The federated nature of this country and the weighty responsibilities of our respective governments should rule out unilateral measures of this sort, which carry with them such significant consequences. A government elected with whatever measure of public support, large or small, has the obligation to consult on measures of such magnitude, not only with provincial govern-

ments whose statutes they seek to negate but with the work place parties themselves.

In this instance, there was no consultation; there was only unilateral action. More than that, the government of Ontario is concerned that the thrust of its statutes can be thwarted by an undebated regulatory change in another jurisdiction. Only in the most extreme circumstances, if at all, should a nonlegislated federal regulation supersede a statute competently enacted within the jurisdiction of a provincial legislature. This situation is surely not one of those extreme circumstances in which competent and wholly valid provincial legislation should fall through federal regulations. Thus, we have chosen to say through Bill 128 that our legislation will not fall and that the integrity of this Legislature will be upheld.

In concluding my remarks on the principle of Bill 128, I want to remind my colleagues in this Legislature of a speech made more than four decades ago, back in 1940. The speaker was Mackenzie King, then Prime Minister of Canada, and the occasion was the introduction of a new piece of legislation, then called the Unemployment Insurance Act.

In proposing the legislation Mr. King said:

"The surest foundation on which to base democratic government is a happy and contented people. Nothing militates more against happiness and contentment than fear. By this measure, fear will be removed to some extent, from 4,660,000 of the Canadian people...."

"This done, it will be recorded of the present generation that at a time when we were bending every effort and endeavour to overcome the enemy at our gate, we were not unconscious of our duty and our obligation to promote the welfare and happiness of our people."

We have our opportunity today, some 46 years later, to remove the fear faced by modern workers in Ontario, who are caught up in mass layoffs or closures and who, as a result, must confront substantial disruption and dislocation of their lives.

I ask this assembly to support Bill 128 and to send Ottawa a clear signal we will not stand idly by while others seek to diminish the integrity of our statutes and the benefits they provide to the people of this province.

The Deputy Speaker: Are there questions or comments? Does the member for Bellwoods (Mr. McClellan) have any questions or comments?

Mr. McClellan: No. I will have remarks to make in due course.

The Deputy Speaker: Is there any debate?

Mr. Gillies: I am pleased to join this debate. I know, Mr. Speaker, that you will allow me a similar degree of latitude to that given the minister in his remarks. I almost feel I could get up and give a speech on the thoughts of past Prime Ministers of Canada, the meaning of peace, order and good government, democracy and just about anything else, but as much as possible, I will try to restrict my comments to Bill 128.

The minister quoted Mackenzie King, who was one of our great Prime Ministers. The quote that comes to mind for me is from the great, late John Diefenbaker, who was once exhorted at a rally to give the Liberals hell—excuse the word, but I am using it in context—to which Prime Minister Diefenbaker responded, “I do not give them hell, I just tell the truth, and to a Liberal it sounds like hell.”

That is my quote for the day, for what it is worth. My colleague the member for Hastings-Peterborough (Mr. Pollock) remembers it well.

I and my caucus will be joining in support of Bill 128 for a number of very good reasons. I want to start with a couple of thoughts, inasmuch as I believe there are problems with the severance pay provisions of the Employment Standards Act in a number of areas.

The action taken by the government of Canada, as proclaimed on March 31, 1985, is one of those problems. However, there are others. I draw the minister's attention to the fact that in 1984, which I am led to understand is the last year for which statistics are readily available, only about 18 per cent of the 14,000 Ontario workers who were laid off permanently received severance pay. This speaks to a number of very serious flaws in the legislation. I hope the minister is able to address one of those with Bill 128, but I cannot let the opportunity pass without suggesting there are a couple of loopholes in there that should be dealt with.

The minister and I have had many occasions in the past year and a half to discuss these, but the one that irks me the most is the minimum of 50 persons in the layoff provisions of the bill. Members will know that when a company of any size undertakes a layoff of any magnitude, the workers are covered only by the severance pay provisions of the act if there is a minimum of 50 workers; the intent when the bill was originally drafted was, I suppose, to provide some sort of buffer. The minister is quite right in that it was our government that brought in the legislation. The intent, I suppose, was to absent those small

businesses that might on occasion have to let one or two or three employees at the corner store go.

Personally, I think the provision was wrong from the day it was enacted. I also believe the interpretation and the loophole that this provision has become are similarly wrong because of a conscious effort by what I hope is a minority of employers to thwart the intent of the legislation by staggering and downscaling their layoffs. As I have seen happen in my constituency—the minister has in his, and I dare say all of us have—a company will lay off 150 employees, let us say 49 at a time. It is not what the legislation was intended to allow and it is simply not fair.

15:30

I remember one instance in my own riding of a company that did precisely this, and I remember the workers coming in some numbers to my office to put their case before me. One or two of the employees in question had been with the company for more than 40 years, and they were getting not even the golden handshake; I doubt it was a silver handshake.

The very minimal provision in the legislation, the floor, if you will, that people in the province have come to expect as their due, is not going to many, if not most, of the workers who deserve it. One week's severance pay for every year of service with a minimum is not excessive. We, as members of the assembly, I may say, do much better. I see one or two of my colleagues saying, “Do not bring that up,” but let us be honest here. Many people in executive capacities in the private sector do a heck of a lot better than we do.

People in the public sector, such as ourselves, do reasonably well under severance pay provisions that have either been bargained or legislated for us. Lord knows, I would not want to bring up matters of other public servants who are now under the scrutiny of various committees of this House with the severance packages they got.

The Deputy Speaker: That would be out of order and straying too far.

Mr. Gillies: It would indeed be out of order to do so, and I do not presume to do so. However, in saying this, I provide a context: We have to ensure that the very minimal standards that have been set for the benefit of all workers at least are met.

That brings us to Bill 128. The minister, in his statement, although with a fair degree of high-blown rhetoric—but who am I to criticize the minister for that?—has laid out the problem relatively succinctly. Under federal law, permanently laid-off workers must use up their severance pay before they can collect unemploy-

ment insurance. As the minister said, the Canada Employment and Immigration Commission has been treating lump sum severance payments as earnings spread out over a number of weeks according to the worker's average weekly pay before the layoff.

The minister's predecessor and my former colleague, Russ Ramsay, expressed concern at the time these proposals first came forward in 1984. They were not responded to adequately by the government of Canada at that time. The incumbent minister has similarly expressed his concerns, which I believe, if I understand the way this bill is going to be voted on, represents the concern of each and every member of this House.

Severance pay is not a gift. It is not something given to workers through the munificence of an employer or anybody else and to which the employee is not entitled. He is entitled as a matter of law because it is the law of Ontario and as a matter of right and justice.

I have always thought of severance pay packages, duly negotiated or agreed to by employer and employee, in much the same sense as I think we have to regard benefits and pensions. They are, in a sense, a deferred wage. They can be regarded as something such that, if the employee were not benefiting from this feature of his employment contract or of the law, one might presume he would be benefiting somewhere else. As we said on the select committee on pension reform in 1981, it can be said in a sense to be a deferred wage. It is something due to the employee by right and entitlement.

What we saw in the 1984-85 period was that a worker could not collect unemployment insurance during the entire time period arising from the calculation of the severance pay, and during that period of time he lost, or could lose, credited weeks of unemployment entitlement.

Although the severance pay is considered income, it cannot be used as a basis for a future unemployment insurance claim. When is it income and when is it not? I suggest there is a built-in contradiction in the action taken by the government of Canada. In effect, the 1985 offsetting of severance pay against workers' entitlement to unemployment insurance has undercut the severance pay plans. That is not something we in this Legislature wish to see happen.

I have a recent concrete event I can cite, which has a direct bearing on what this legislation tries to do. There was a recent ruling involving

shipyard workers in Collingwood who are members of Locals 6320 and 8234 of the United Steelworkers of America. That ruling gave the workers both their severance and unemployment insurance benefits. The ruling is based on a federal regulation that allows an employer to attribute the severance settlement to one week after the layoff. Workers have to wait two more weeks to collect UI benefits, but they are then eligible for up to 51 weeks.

By my reading, Bill 128—and I believe the minister will concur in this—is similar in its intent. By allocating the severance pay to the weeks immediately following layoff, the severance pay will not penalize laid-off workers by offsetting the severance pay against the worker's entitlement to UI benefits.

Severance packages are meant to ease difficult times for workers, their families and the people in their community when layoffs occur. Let us face it, nobody wishes to see a layoff occur, and nobody wishes to see people terminated from their employment for whatever reason—adverse market conditions, the decision of a company to move or to close part of an operation or whatever. Nothing we can do by legislation in this area will ever replace a job, but on those occasions where employment is lost and workers have to rely on whatever provisions we as legislators can put forward for them, then we as a Legislature have the obligation to ensure those provisions are protected.

The minister will have our support in this legislation. I dare say the fight he has with the government of Canada in this area is not over, but the fight must go on none the less.

I expressed my concern as an individual member by way of letter to the previous federal minister, the Honourable Flora MacDonald, who is a good friend and who I believe is one of Canada's best and most dedicated public servants. On this issue, I expressed concern to her as a private member of this assembly. I will do so again if required to by the new minister, the Honourable Benoît Bouchard. In fact, I had an opportunity six weeks ago to sit down with the Minister of Labour for Canada. While the legislation in Ottawa regarding UI is not his responsibility, I did express my concern to him. He indicated he had met recently with our provincial minister, who had similarly expressed his concern, and I believe that may be putting it lightly.

Hon. Mr. Wrye: Modest displeasure.

Mr. Gillies: The minister is saying he expressed some modest displeasure, and that is

understandable. Let us get on with it. I would venture to say there will be no disagreement on this measure. Let the Legislature pass Bill 128. When the time comes, I hope the government of Canada will recognize the will of this Legislature to protect the workers in Ontario and their severance provisions, will not in any way contest Bill 128 and will let the amendments stand.

15:40

Mr. McClellan: We in the New Democratic Party will be supporting Bill 128, An Act to amend the Employment Standards Act. I was amazed to listen to that flowery speech from the Minister of Labour, which ended up with a little hymn of praise to Mackenzie King. It is entirely appropriate that the minister would take Mackenzie King for his role model when introducing this bill, because despite all the flowery rhetoric from the Minister of Labour, all this bill does is restore the status quo with respect to employment standards law in Ontario.

I do not think the minister explained clearly, and the previous Conservative speaker did not explain at all, that what the Mulroney government did in 1985 was to change the federal legislation so it is now possible for severance pay to be deducted from unemployment insurance benefits. Of all the stupid, obscene things a federal government has done in this country, this has to rank right up at the top.

For the Mulroney government literally to steal severance pay benefits from laid-off workers by deducting them from unemployment insurance has to rank with the most mindless, anti-worker legislation any federal government has ever indulged itself in. It is because of actions such as this that the Mulroney government is going to be a one-term government. I was amazed that none other than Flora MacDonald was left with the carriage of this ridiculous proposition.

All that Bill 128 does this afternoon is to put an end to the Tory ripoff of severance pay benefits and restore the Employment Standards Act to the same state of inadequacy it was at before the Tories intervened. I have to express amazement that this Minister of Labour's only initiative with respect to amendments to the Employment Standards Act is to try to restore the status quo to what it was before he took office.

Is this the best the minister can do? Is this the best the Swampmaster is able to do for employment standards? If it is, it matches his record perfectly with respect to occupational health and safety, reform of the Workers' Compensation Board and reform of labour relations law. In short, he is the pre-eminent example of do-

nothingism in this new government. He deserves every bit of the criticism my colleague the member for Sudbury East (Mr. Martel) has been ladling out on a daily basis. This bill is just more of the kind of irresponsible inactivity that has come to characterize this minister's stewardship of his ministry.

I remind the members of an exchange that took place in this assembly on February 7, 1986. I am referring to the Hansard of that date. Our Labour critic, the member for Hamilton East (Mr. Mackenzie), asked the Minister of Labour when he intended to introduce reforms to our severance pay legislation. The minister said he had a number of concerns about the size of establishments and about what had happened at Dominion Stores. He was asked specifically by the member for Hamilton East, "Is the minister prepared to change the law...so that every worker who was permanently laid off will receive severance pay?" The minister said it was a good point and he was going to review the law. "I hope it will be complete so that we may see some Legislation in the next session."

Here we are now in the next session, and all the Minister of Labour can do is bring in Bill 128 to restore the status quo ante. Well, well, well. Is that not a surprise? The incident that inspired the question in February 1986, was the closure of Dominion Stores by our good friend, the minister's good friend, Conrad Black—author, apparently, of his pension policy. When he closed Dominion Stores to loot their pension plan, he also fired 400 workers. This is the government that enabled Conrad Black to take \$62 million out of the pension plan of Dominion Stores workers and to force the workers and their union to go to court to get their money back from a man who had taken it away from them illegally and who, at the same time, saw 400 Dominion Stores workers fired and thrown out on the street without a dime of severance pay.

When the Minister of Labour was asked back in February 1986 whether he did not have some concern, he wept his usual crocodile tears and promised legislation in this session. Here is the legislation, restoring the status quo ante. I do not intend to take very long. We certainly would not want not to restore the status quo ante. The major part of the Liberal reform program is to go back to square one.

I want to remind members of the extent of the severance pay ripoff under the existing Employment Standards Act. In 1981, there were 147,000 workers laid off in Ontario, of whom 1.1 per cent collected severance pay under this legislation; in

1982, 286,000 workers were laid off in Ontario, of whom 1.5 per cent collected severance pay; and in 1983, 313,000 workers were laid off in Ontario, of whom 0.7 per cent collected severance pay.

Yet this minister has the nerve and the gall to come before the House this afternoon to talk about his Employment Standards Act and its severance pay provisions as though they were meaningful and as though they did something for workers. The minister knows full well what the statistics are. In each of those three years of depression, 1981, 1982 and 1983, less than two per cent of almost a million workers who were laid off collected even a dime under this legislation, but he has the nerve to come in here today and talk about his concern and his reform initiatives and the fact that he is pretending to do something.

I would have thought he might have come here today to say very simply that he was correcting a major injustice, that he recognized the act as it stands constitutes a major injustice, that his review was now complete and that this was what he would do: change the notice and coverage provisions; change the amounts that are made available; guarantee that each and every worker in this province who is laid off receives some compensation for the loss of his job; ensure that companies are forbidden to engage in mass layoffs that devastate communities, companies with no responsibility and no accountability and no requirement to justify their economic plans to the broader community.

I would have thought he might have come here today to discuss plans for retraining and re-employing permanently laid-off workers. The fact is that this minister has learned nothing from the depression of 1981 to 1983, and he comes before us today with this bill to restore the status quo. That is all he seems to be able to come up with.

This minister's performance is pathetic, and it is seen to be pathetic. He has had 17 months of stewardship over one of the most important ministries in the government of Ontario, and no matter which corner you look into, the dust and cobwebs of the old regime are still there, the old ways are still there, the old officials are still there, the old attitudes are still there, the old complacency is still there, the old arrogance is still there. It is about time this minister made way for somebody who is prepared to do the job.

15:50

Hon. Mr. Wrye: Very briefly, I acknowledge first the comments made by my friend the

member for Brantford (Mr. Gillies). I appreciate his support and that of his party in this matter. I certainly appreciate the support of all parties in this Legislature for this action to restore the integrity of our legislation.

I acknowledge very quickly the additional point my friend the member for Bellwoods (Mr. McClellan) made about the legislation and all of its inadequacies. While I appreciate the support, at the same time I acknowledge that the effect of Bill 128 is limited.

In acknowledging the support of my friend the member for Bellwoods and that of his party, and also acknowledging that this legislation, important though it is, restores the status quo, I must express some surprise and amazement that my friend from Bellwoods seems to think it is of minimal importance. He should try making that statement and that kind of claim in the city of Collingwood, where the initiative taken by this government—an initiative that, since this bill was introduced, has been copied by the steelworkers' union—has provided hundreds of workers with some decent termination notice pay and decent severance pay. I think that is rather important. It is real money in the pockets of real people and not so much theorizing as we heard opposite.

For the member to suggest that this is only minimal legislation is just a little much. The fact of the matter is that this is the first jurisdiction in Canada to move legislatively to protect the rights of its workers. No other legislature has moved, including the legislature in Manitoba. I am amazed that my friend opposite would make that kind of comment, as if what this government is doing in this field does not have some degree of importance. We are the only jurisdiction to have launched a major and a fundamental challenge to what we all agree is an improper and a very regressive piece of action by the federal government.

I heard my friend the member for Bellwoods say he had expected we would come in today and say, "The review is complete and here is the legislation." I can only say to him that the review is not complete. When it is complete, we will bring in amendments to the severance pay section, amendments that I am sure his party will want to support fully. Indeed, all members of the Legislature will want to support them fully and applaud them completely.

When these changes are made, it is important that they be made right. I believe we have brought in changes that are right. In terms of Bill 101, the legislation to protect workers' rights to know, I hope to proceed with that later in the fall,

following the federal-provincial-territorial conference at the end of this month.

When we come in with our Employment Standards Act amendments—and they will be fairly comprehensive—I hope they will be correct and will be applauded, and similarly when we bring in amendments to the Occupational Health and Safety Act or amendments to the Labour Relations Act.

These things take time, but it is time well spent if they are correct. I agree with my friend the member for Bellwoods, I do not hear with any sense of satisfaction the statistics of workers who, while the legislation has been on the books, have not been able to avail themselves of it. We are attempting to correct that. I only indicate to the House that this has taken some time.

I must say, at the same time, that it does not matter if we bring in the most perfect piece of termination and severance pay legislation in all of Canada and North America. If the federal government continues to do what it does, at the end of the day that perfect legislation will be for naught.

Today's step, while it is a limited one, is an important one. Not only does it recognize and restore the integrity of our very special legislation, which gives those kinds of special provisions to employees who are being terminated and losing their jobs through layoffs and closures, but it also says very clearly that the integrity of this Legislature and of its statutes is going to be protected and is being protected by this government.

Motion agreed to.

Bill ordered for third reading.

House in committee of supply.

ESTIMATES, MINISTRY OF TREASURY AND ECONOMICS (continued)

On vote 1001, ministry administration program; item 1, main office:

Mr. Chairman: We have the estimates in front of us. How many minutes do we have left? Six hours and 24 minutes. Is that correct? Four hours and 29 minutes. I wondered whether the gremlins were back in the clocks again, but no.

Hon. Mr. Nixon: Before we get into the estimates with our usual enthusiasm, the member for Cambridge (Mr. Barlow) asked a question about the Ontario municipal employees retirement system pension. I thought we had taken the action—I see the honourable member is just coming to his place—to permit police and firemen

to retire at age 55 on a full pension after 30 years' service, and that is the case. They are now suggesting we might improve that pension further by giving them what you might call a magic number of 85; that is, their age plus their years of service would give them full retirement.

This is not a standard approach in the public service, the teachers' service group or anything like that, where it is still 90, except under special circumstances. The member would know that there is a special three-year window that permits teachers to retire at age 55 in spite of the fact they have not achieved the magic number.

Dealing with the police and firemen on the basis of 30 years and out, so to speak, as long as they are 55 years of age, I feel does recognize the special challenges, if I may put it that way, of their employment. I think there is reasonable satisfaction that this has been accomplished. Naturally, as with any other employment group, there is always a list of areas where improvements are sought, and those are always under consideration.

Mr. Barlow: After our discussion the other day, I talked to an official from the Ontario Professional Fire Fighters Association, and he said he did get a briefing from OMERS between the time he had contacted me and the time I talked to the minister. It bears out substantially what the minister has said, although he said everything seemed to be on the right track at the time. That was the indication. I think they are reasonably satisfied.

16:00

Mr. McCague: While we are on the issue of pensions, the Treasurer will be well aware of the large pile of mail he has received from teachers who are on superannuation and of their desire, because of a reported large surplus in the fund, to have him extend benefits to earlier recipients. I know the Treasurer will recall that the retroactive date at this point is May 31, 1982. He will also know that this act was in the formative stages for some length of time and that it was made retroactive at that time in order that those who had every reason to think it would be in place by May 31, 1982, could collect their pensions, which was their understanding when they retired. Maybe the Treasurer can bring us up to date on how he intends to respond to this request from many of Ontario's retired teachers.

Hon. Mr. Nixon: I am sorry. I have no idea what the honourable member said.

Mr. Chairman: The member asked you how you are responding to retired teachers who wish a five-year averaging.

Hon. Mr. Nixon: The teachers' superannuation situation is very positive. The honourable member has already indicated that the most recent actuarial valuation shows there is an actuarial surplus. I hesitate, frankly—and I sound naïve when I say this—to think of those as real dollars, since they are substantially large sums of money and they do not take into account the additional pension requirements of the teachers that index their pensions.

Frankly, before I came into government and the Treasury, I had thought that the indexing provisions were a part of the teachers' superannuation legislation intrinsically, but it is a separate fund, which is ostensibly paid for and was set up to be paid for by an additional one per cent increase from teachers' salaries. Particularly since teachers' salaries have been rising rapidly over the years since this indexing fund was established, I had thought it would be in quite a positive position to pay that indexing over the years of retirement.

I indicated in the budget in May that there was some concern, at least on my part, that this second fund was not in actuarial surplus but quite the contrary. We have actually got some additional and special advice on pension matters to assist us in looking at the value of the actuarial surpluses and deficits associated with all our pensions and just what our commitment as a government in representing the public at large would have to be. Therefore, whenever we talk about the surplus in the basic superannuation fund, I have to indicate some concern that there is not a surplus in the other fund, which is designated with the acronym SABA, which means Superannuation Adjustment Benefits Act. I can remember SABA, but I cannot remember Superannuation Adjustment Benefits Act.

In this connection, while it is true that most of the letters I receive point with pride to the substantial surplus, as Treasurer—and I have the overall responsibility—I am aware of something less than a surplus situation in the additional fund. I do not want to be critical of the honourable member just because he is the only Progressive Conservative here, because I do not believe he personally was responsible for the legislation that established that. However, as I see it and as I see the unclear lines of responsibility associated with that, I can see that in the next few months and years there will have to be some very careful review of how that should be properly brought into balance with the emerging requirements for payments.

It seems to me that if the inflation rate is held under reasonable control, that might moderate the problems, but I want to indicate to the honourable member, the many teachers and others interested in the pension status, that the overall position is not one of impressive surplus.

It is also true that when we grant special advantages to teachers who have already retired, who have made their contributions and whose pensions are based on those payments, when these pensions are enriched, as they have been repeatedly for good reason, the consolidated revenue fund is usually called upon to make up at least part of those payments. Even if it all comes out of the surplus, the surplus does not necessarily accrue to payments made by those people who have been retired, sometimes for a number of years, and who, in my view, do not have a direct claim on those dollars.

The fund is there to ensure that the province can meet its responsibilities as set out in the act and any enrichments approved by the Legislature from time to time. My own experience, and it is just a brief one, is that there is always a substantial lineup or list of requests for enrichment of all the pensions over which the province has some control, because it is essentially the guarantor. Certainly, the one where the requests—sometimes demands but essentially requests—for improvements are the greatest, deals with the teachers, perhaps because their pension situation is a good one. I think the teachers say so, and so do we all. We are very proud of that, but the pressure to improve it seems to be very high.

The one coming to me most frequently now is from teachers, many of them formerly professional colleagues of mine, who have retired on pensions based on their best seven years. Some of our other friends, who retired a few years later, have pensions based on their best five years, and as my friends say to me in their letters: "You have to be fair about this. Why should I get less than Joe or Jane?" It is difficult to answer other than to say that they retired a couple of years too soon and that it is difficult for even a magnanimous government, such as the one in office now, to accommodate all these requests.

As for the request we are looking at, I want to know exactly what additional funds, either from the teachers' superannuation fund or from the consolidated revenue fund, will be required. There is always another request pressing in on the minister, whether myself or the Minister of Education, who had this responsibility previously. The officials in Treasury who deal with this are quite skilled at discussing it with the teachers'

representatives and the representatives of the Teachers' Superannuation Commission. When I say this is under constant review, our experience in the past few years has been exactly that. The teachers are knowledgeable, pressing, usually moderate and effective. We try to safeguard the public dollars, always bearing in mind that the teachers make substantial contributions, but so do the taxpayers of Ontario.

It is also healthy to note that these surpluses, which are very substantial in many pension funds, private and public, have not always been that way. Depending on the economy of the nation and the economy of the western world, these have had substantial deficits in the past. I recall there being almost yearly during the years I was in opposition a line in the budget allocation of Ontario for substantial funds, usually in the order of \$200 million, to make up the deficits inherent in the teachers' superannuation fund during these many years.

Even in those days—I do not want to sound naïve or misleading—we did not think of them as real dollars, since they were transferences on pieces of paper to the TSF, which were then entirely borrowed back by the province for good works. The responsibility is there to guarantee the payments. Whenever we increase the value of the benefits, those guarantees carry on ad infinitum and we put a load not only on the teachers to come but also on the taxpayers, who must maintain their share of the payments as they go forward month by month to the deserving teachers who have served the province during a lifetime career.

What did the member ask?

16:10

Mr. McCague: The Treasurer was perhaps being well briefed at the time. Maybe he can try to listen to a couple of points I have so he may be able to answer them.

The message that is going out from the Treasury to the teachers is not exactly what he said. I understood him to say the matter was under consideration. He can correct me if I am wrong. I think he is sending letters out which say, in short words, that he does not have much intention of changing the system, that the money there now in surplus will be needed for teachers currently enrolled in the fund and that he cannot see his way clear either to ask them to contribute more or to ask the government to put more money into it.

Supplemental to that, I wonder whether the Treasurer has a conflict of interest in these funds at present.

Hon. Mr. Nixon: Actually, if I had been as smart in 1961, when I resigned my teaching job to go into politics, as I am now, I would have kept up my payments, as some other members of the Legislature have under the regulations, very properly and appropriately. I decided to withdraw my contributions made over nine years of teaching, which I think were paid back without interest. I invested them in an implement shed on a farm. I put all the dough into that. It is 100 feet long and 30 feet wide. Any time the member wants to come to South Dumfries, I will show it to him.

Mr. McCague: I did ask the Treasurer whether it is true that letters are going from the ministry to people who are inquiring, saying he is not proposing to accede to the request, both in terms of increased contributions from them and from government.

Hon. Mr. Nixon: There is always a fairly large flow of mail on superannuation. The large flow now is for a removal of that gap between seven years and five years, and I am not sure what the response is; it should be that we are giving it careful consideration.

There are other sections in that letter indicating we have a responsibility to the taxpayers and a responsibility to the teachers currently contributing to their own pensions, not previous pensions. My natural feeling is that if there is a perceived inequity, I would like to propose to the House that it be removed. We are reviewing that.

The most compelling letter was from my grade 4 teacher. That was before grade 4 existed; it was called senior second. The member may remember senior second. Was that not right? She recalled those happy days back in SS8 South Dumfries. She retired after a full lifetime at age 65; I did not inquire what her age is now. She indicated that her retirement pension was based on the best seven years, that people retiring now are getting it on the best five years, and what am I going to do about it? Having read the letter carefully, I thought I had better find out what I am going to do about it.

Mr. McCague: The Treasurer may have the figures at hand. I would like to know what the cost might be to move from the best seven to the best five. I do not want to put him to a lot of work to get that, but if it is available, I would like to have it.

I am mentioning that because the Treasurer made a remark about what great people teachers are, and I agree, and how they are all friends of his. I suggest the way to keep them as friends is to

take a careful look at the act and at the request they are making.

Hon. Mr. Nixon: It would cost approximately an additional \$65 million a year.

Mr. McCague: Thank you. That is just to move from seven years to five.

One of the Treasurer's great hobbies in years past has been what should be done or what this group of people should do; I refer to Ontario Hydro, just down the street. I will give the Treasurer a moment or two to philosophize on what it is he intends to do now, and from that I am sure some questions will flow.

Hon. Mr. Nixon: I think Ontario Hydro is doing a pretty good job. I do not have any particular plans to do anything to or for Hydro other than to support it in its requirements to provide power at cost and to be sure there is enough of it.

Mr. McCague: The Treasurer would have us believe that it is completely at arm's length and that there is never any discussion between his ministry and Hydro when it comes to borrowing rates, salaries and a few of those things.

I noted a recent article which said Hydro has spent \$9.6 million to assure itself a share in Hydro-Québec so we will all be lit up for Christmas. He may not know about that. That may not be the type of thing a Treasurer ever talks to Hydro about, if he can tell me that.

One has to wonder about the Ontario Energy Board recommendation of a 4.9 per cent rate increase and Hydro going for something in excess of that; I believe it was 5.6 per cent. I mentioned the \$9.6 million for Hydro-Québec to reserve a place to still the concern in my riding about the locked-in power at the Bruce nuclear generating station. Considerable hearings have been going on in various parts of the province, in London and in Bruce in particular. Perhaps the Treasurer can tell me where that stands. We are probably straying a bit from his estimates, but he is the minister who has some responsibility for Ontario Hydro.

Hon. Mr. Nixon: The honourable member raises a subject that I declaimed on previously at length. Unfortunately, the member has not taken time to look up my speeches, but I have always been very interested in Hydro. Anyone who listened to my previous speeches would know I have been very supportive, not of the personnel but of the concept of Hydro as the greatest utility in North America. There is no doubt about that at all.

The member will remember that rate increases have been somewhat variable over the past few years. There was a time that rather shocked us all when it was necessary to have rate increases of the double-digit size, with indications that these very high rate increases would continue. That was the time when interest rates were extremely high, and it was necessary for rates to go up to pay the interest rates on an expanding system. My adviser Mr. McColl has just passed me a paper showing increases over the past few years ranging from a high of 14.8 per cent in 1983 down to the 3.5 per cent proposed in 1986.

I call to the member's mind, and I am sure Mr. Chairman is interested as well, that rates were extremely high in the 1980s and late 1970s, during those times of hyperinflation, and the concern of everybody was quite evident. Ontario Hydro cut back on some of its expansion because at the same time there was a business turndown, which meant the rate of increase of the load was reduced substantially from the historic yearly seven per cent. At one stage, the increase was zero or perhaps even negative, and so the plans were put askew by the economy of not only Ontario but also North America.

16:20

The rate increases were reduced, and in many instances when the Ontario Energy Board reviewed the proposed rate increases it came up with a recommendation quite different from what Hydro had put forward. They have a different view of it, particularly since Mr. Macaulay has become chairman. He is extremely knowledgeable about Hydro, having been at one stage vice-chairman, and I believe he was the first Minister of Energy here and certainly was the principal spokesman for Hydro. He, with some veracity, considers himself to be as knowledgeable as anyone, even the Chairman, or any of us as politicians. When he gives an opinion, it should be considered very seriously indeed, as the member will agree.

I believe it was in 1985 that Hydro's projected rate increases got as low as 3.8 per cent; a very low increase indeed, below the rate of inflation. At that time we were in an election campaign or close to it. I had the ill judgement to criticize it publicly, but it seemed to be an unnaturally low rate increase in the circumstances. I was assured and there were formal statements made that these were justified by the statistics, and I know that would be the case. The next year there was an indication that the rate had to increase, and there was a bit of a spur in the general smooth decrease of these rate changes, which we were quite

prepared to ignore in the circumstances, and that was fully justified.

This year, when it is still evident from statements by Ontario Hydro that we hope in the foreseeable future as Darlington is completed and major capital requirements are reduced somewhat, and we hope they will be, the rate increases required may be as low as inflation and we hope a bit lower. This may not be possible, but at one stage that was the hope and the public projection of the utility.

Hydro, with that in mind, had proposed a smoothed-out rate increase for the next year of about 4.9 per cent. The Ontario Energy Board, in reviewing that, felt that was not appropriate. A couple of things had happened. Oil prices had changed dramatically, as had the value of the Canadian dollar, so that the cost of paying our American loans had increased and the actual outflow of dollars had increased substantially. It was the view of the energy board that Hydro was not making appropriate provisions through the rate structure to meet those payments in a responsible way.

The chairman of the energy board also indicated there should be a nestegg lying around in case we got into trouble with some of our generating capacity. We had a bit of bad luck at Pickering; not an intrinsic design fault, fortunately, but a few sagging pipes that will cost us several hundred million dollars to repair. Those repairs are under way now. Mr. Macaulay indicated this might happen again and Hydro should make provision for that a little more adequately than apparently it had in the rate structure that was proposed. He said 4.9 per cent was not good enough; 5.9 per cent was what the increase should be, which would at least move Hydro towards its goal of financial soundness. The implication should not be made that Hydro is anything but financially sound, but it has certain parameters, actually established in a letter signed by a previous Treasurer, the member for Muskoka (Mr. F. S. Miller), some years ago, indicating what those parameters should be. The rate structure is the principal way this can be achieved.

The chairman of the Ontario Energy Board also indicated he felt the administrative costs at Hydro were too high, the implication being that Hydro was overstaffed and that its pay ranges were abnormally high. I cannot comment on that. I have already indicated I have a good deal of confidence in the administration of Hydro, and always have had. I think most objective observers feel Hydro is adequately staffed and ade-

quately paid. Members can read whatever they like into the adjectives, but certainly the energy board chairman felt that too high a proportion of the revenue was going for administration, and in response I believe the chairman of Hydro indicated those costs were being brought under control.

Mr. McColl has just informed me that, over the period of time, the rate proposal from Hydro has been the same as the energy board's recommendation six times, below it five times and above it two times; so the independence of the two organizations is not in question.

As far as this rate is concerned, the energy board said it should be 5.9 per cent. Hydro had originally proposed 4.9 per cent on the basis that, although the financial soundness would suffer somewhat since it felt in the years to come the requirements would be gradually diminishing, there would be a smoothing out of rate changes. However, on the basis of the recommendation from the energy board, Hydro has announced it will require a rate increase of 5.5 per cent. I ask members to compare this with 3.8 per cent for the previous year—that is, currently, this year—that was announced in the late winter of 1985. Therefore, I think the process of establishing the rate and reviewing it is working quite well.

A number of people, including my own colleagues, previously and perhaps now, have felt the Ontario Energy Board ought to have the power to set the rate rather than simply to review it. We had considerable discussion in the House two years ago about the financial position of the province and whether the debt of Ontario Hydro—which, of course, is very large at \$25 billion—balanced, of course, by the capital structures that have been built, had an effect on the credit of the province. I naturally assumed it would have; that it was one of the things that would affect our credit rating.

I can remember my predecessor, the member for York Mills (Miss Stephenson), now travelling in the Near East, saying to the House in her own definite way that it had nothing to do with the credit rating. She was a doctor, not a teacher, and she thought we would accept that if she said it firmly enough. She might have explained that as long as Ontario Hydro had the right to set its own rates within a range of fiscal and financial responsibility and soundness, the credit raters assumed that even with that large debt, because of this huge market for electricity and the fact that Hydro controlled those rates and worked on the basic premise that it was to provide power at cost, in fact it did not affect the credit rating.

I would not be averse to looking at proposals for the energy board to take on the responsibility of fixing rates, but when Hydro loses that intrinsic control of its own fiscal position, then of course it does begin to affect the credit rating of the province.

Other jurisdictions, other provinces, have made decisions to freeze hydro rates for a period of time. I think Saskatchewan did and Manitoba did. At the height of the inflation, they said hydro rates were going to be frozen. Obviously, as far as their utilities are concerned, that has to be made up with public dollars and that would affect the credit rating of the jurisdiction.

16:30

I sound a little conservative now that I am a little more knowledgeable about these things, but I would not rush in to remove that independence of Hydro. I can assure the honourable member that many of my colleagues feel differently. While it is not a matter of great controversy, it goes back to the point the member asked me about, what are we going to do with Hydro? That is one of the alternatives. I am not awfully keen about it but it is an alternative. The downside of it concerns me as Treasurer. The benefit is that an independent body establishes the rate. The member might give us the benefit of his views on that.

Mr. McCague: My view is that we have just talked about the pension fund, about which the now Treasurer had some ill-conceived opinions, and we have talked about Ontario Hydro, about which he said the same thing: that things were not as bad when he took over as he had hoped many would think.

The Treasurer says I have not read his musings of the past. I remind him that when Hydro was made a crown corporation, he was very critical of this and said that the Legislature had lost its power, that when it was a commission there was a member of the Legislature on it. I have read them, but I did not take the opportunity to read all the negative things the member said about the government of the day as they applied to the Treasury because there are not enough hours in these estimates to do that. I will leave it to my colleague.

Hon. Mr. Nixon: I want to respond because I had forgotten for the moment, although I should not have forgotten, the debate on whether the change from the Hydro-Electric Power Commission to a crown corporation was a good thing. I convinced my colleagues at the time to oppose that change. I was one of the spokesmen opposing it because I felt that as a commission it

had a closer connection with this House and that as a crown corporation the emphasis was on arm's-length operation.

As a commission, members of the Legislature, not always members of the cabinet, actually sat on the board of the commission. John Robarts, God rest his soul, started his career there after being elected, and Bill Davis and Art Evans. They all had the position of vice-chairman and there was always an occasion during the estimates debate when the vice-chairman of Hydro, as one of our colleagues here, got up and explained what Hydro was doing and answered questions.

To tell the truth, it was like answering questions about the United Church. It was solid, not under any great review and obviously smiled upon by all the powers of the universe. It has changed a little since then. My own feeling is that by putting it at arm's length from this House, we lost something valuable, which was at least seen as public accountability in the Legislature. A few would say that a political vice-chairman would probably not be a heavy-hitter, yet he might be. Both of those former vice-chairmen became Premiers and did not do badly at heavy-hitting. Art Evans was chairman of the select committee on conservation, which was also an extremely important emanation of this House.

Anyway, Hydro became an arm's-length operation. As soon as we got that, George Gathercole became chairman, a very brilliant guy, but not exactly at arm's length from the administration. That is not the name I am looking for. Hugh Macaulay became chairman. He had been very closely associated with the Premier. As a matter of fact, he had been one of his campaign managers. The feeling we had, to be frank and fair, was that while they passed an act creating a crown corporation divorced from government and did away with the possibility of the vice-chairman being a member of the Legislature and explaining Hydro's position to the House, they had done something we did not think was a worthy alternative. They had put a political person into the top job in Ontario Hydro. We thought that was counterproductive and we were quite critical of it.

While the Legislature had no access to that kind of report, the Premier on a day-to-day, Hugh/Bob telephone relationship could, if he chose, run Hydro out of his hip pocket. I am not suggesting that he did, but he could have, and it was seen that he could have. In my view, without talking about the abilities of any of those people—we all know they are extremely capable

people—it was a bad move. Now that the member has brought that to my attention again, I think I know what I am going to do about Hydro. Maybe.

Mr. Allen: I want to address one or two questions to the Treasurer on a subject the previous speaker started out with; namely, the question of the teachers' superannuation fund and some of the questions arising from that.

The Treasurer described his government as being a magnanimous government of an unprecedented sort. I must say, but for this week, the image of the Treasurer might well have been that he was simply another Treasurer in the Tory tradition. Perhaps he has broken with that image and magnanimity is becoming the order of the day. The teachers who are writing to his office, my office and to many members' offices hope that is the case.

The Treasurer seemed to imply in his remarks that because there was a public contribution to the superannuation fund through taxation at various levels, there was something illegitimate about contemplating or making a response to the teachers who are asking for some adjustment with respect to the calculation of their pension on the seven best years of their career as against the five that were legislated in 1984.

In his attempt to respond to that question, does the Treasurer have any figures for us on the number of teachers who would qualify where there is such an adjustment and what the overall sum would be were the government to respond to that, or to put it more properly, were the superannuation fund to respond to that request?

The Treasurer will allow that, with a fund as rich as the teachers' superannuation fund, notwithstanding the fact that the one per cent fund deals with the enrichment side of the superannuation commission's responsibilities to the teachers, none the less it is very difficult for teachers who contribute to that fund and whose contributions are properly matched by the employer, as is so often the case in pension funding, not to expect that the fund will have a capacity to respond when the needs of the participants seem to dictate that there is something equitable and just about the response that was requested.

I am concerned to know whether the numbers and the amounts make it impossible for the fund to respond or whether it is simply the division between the main fund and the one per cent fund that constitutes the difficulty. If that is the case, perhaps the Treasurer can inform me whether the one per cent deals only with the indexing factor

or whether it deals with other elements of enrichment that the fund has tried to respond to from time to time. If there is a difficulty in the one per cent fund responding, why is the surplus of the larger fund not available to enrich the one per cent fund that deals with those enrichment questions?

16:40

I know it is somewhat disturbing to some of the people who analyse the fund more carefully than I do to observe that the government may indeed be in a sort of conflict-of-interest position. Whether the Treasurer himself is or not is not something I do not want to press particularly. However, the government may well be in a kind of a conflict-of-interest position with respect to the fund, inasmuch as it does use it as a major borrowing source for its own activities. Therefore, there is some reluctance on the part of the government to see it invested in other directions that might give it a greater earning capacity for the teachers than is possible through the interest the government pays for the use of those moneys from time to time.

Perhaps an even more alarming projection is that in the 1990s we will reach a state of affairs in which all the borrowing the government has to do or will ever have to do could be completely satisfied by recourse to that one pension fund from that one professional group. That is perhaps a problem which needs to be looked at in that respect.

I come back to the original questions. I want to add to them a question about which I wrote the Treasurer not long ago, and that is with respect to the other pension question: namely, the miscalculation that was the subject of some discussion in the press and with which the Treasurer is quite familiar. Have the Treasurer and the fund as yet worked out a response to the teachers who, from the commission's point of view, were overpaid and who now, from the teachers' point of view, will be underpaid in the months to come as a result of that miscalculation? Has the Treasurer any knowledge of a resolution of this problem that either has been worked out or is about to be worked out?

Hon. Mr. Nixon: On the question of the miscalculation, that occurred before this government took office. This does not mean the government is not responsible, but I am not responsible and neither is the member opposite.

We really have decided, and as far as I know it is not under any further consideration, simply to have the Teachers' Superannuation Commission inform all the beneficiaries of this matter. As far

as I know, the changes in the pension will take place. No recovery of payment already made is being sought, but the pension is adjusted to what it should be. For us to say, "The mistake was made, so we will continue paying the extra amount to the end of time," we did not think to be appropriate. I am sure nobody likes it, but that is what we are going to do, as far as we are concerned, at the present time.

Mr. Allen: That is a very significant problem for the teachers who made life decisions based on that decision.

Hon. Mr. Nixon: As I recall, the difference is not large enough to affect life decisions. I may be wrong about this.

Mr. Allen: One hundred and fifty dollars a month is not exactly an inconsequential sum.

Hon. Mr. Nixon: For obvious reasons, I do not want to pass judgement on what is a lot of money and what is not. It is a significant amount of money, but the error in calculation is one we are not prepared to accept as something that will be put in place of what is correct. We are not asking for repayment and we are proceeding with it on that basis. If the member wants to continue on that subject, I will not go on to others for a moment.

On the question of recalculating teachers' pensions on the best five rather than the best seven, the honourable member may not have heard me respond to an earlier question. We estimate the cost to be \$65 million a year. I cannot tell the honourable member how many teachers would be involved. That is a number that would be available but it is not readily available right now. If he thinks about that and does a little arithmetic in his head, he might come up with a rough number, but it is a significant number.

We should recall that before 1982, when we went to the best five years, the contributions from the teachers were six per cent of salary. When we went to the best five, we raised it to 6.9 per cent. Why we did not go to seven per cent, I do not know. There was another per cent that teachers retiring under the new system had to pay but teachers retiring under the old system did not have to pay. One might say they had made their life decisions on the basis of six per cent and seven years.

Also, as I recall, in any decisions made by the government that bolster former pensions, proposed to and accepted by the Legislature—and there have been some recent ones where low pensions were raised to a certain minimum—those costs are paid not from the superannuation

fund but from the consolidated revenue fund on the basis that the teachers currently working and contributing to the fund, whether it has a surplus or not, should not be required to pay for those pensions going back. I have argued about it and discussed it, but it has been the tradition for a long time.

Since we have a lot of time here, I will tell members all about this. When I was first elected there was a large group of teachers, predominantly female, who had retired when teachers' salaries were very low; many of them \$1,000 a year, believe it or not. As inflation took hold, their pensions, which seemed to be adequate when they retired after teaching for 30, 40 or more years, were not adequate. I recall them coming to the Legislature on a number of occasions.

The then Minister of Education was John Robarts. We had a large meeting in one of the committee rooms, which was filled with these teachers. I was present as Education critic and the minister came in and said they had decided to upgrade those pensions by special payment, which would come out of the consolidated revenue fund and not be a charge on the superannuation fund itself, so the rates would not have to be increased. It was a recognition of the economic problems associated with inflation. This was before big inflation took hold; this was when inflation was at two per cent, which was considered catastrophic. Everything is relative.

We should bear in mind that if we were to do this, it would cost \$65 million. The teachers who retired on pensions based on the best seven years did so knowing that was what their contributions supported and they retired when they did for obvious reasons. They had either come to the proper age or had decided to take early retirement for other reasons, but most of them would have had a full career of service.

I am not adamantly opposed to improving that. I am concerned that under our usual procedures the teachers would not expect us to take that enrichment out of the superannuation fund, because it is an enrichment the teachers benefiting would not have an opportunity to pay for, even in part or statistically. However, I have a lot of sympathy for this situation and I assure the member we are giving it continuing consideration.

The letter, I must admit, is a form letter. I think we are sending out 500 a week, because all these teachers have been contacted and urged to write to all of us. The letter is not very positive. It concludes by saying: "In my view, retroactively

extending the best-five formula at no cost to retirees would be unfair to those now teaching, who must bear the higher contribution rate to receive it. It would also be unfair to Ontario taxpayers, who must pay for benefit improvements for past contributors."

I balance those two unfairnesses with the perceived inequity of people who are living in an inflating economy on pensions they feel are not as good as those received by their friends who retired, in some instances, 12 months later. There is nothing more galling than to see somebody doing better than you are when you know you worked harder than he did.

Mr. Philip: I will not talk about golden or platinum handshakes, because we will be talking about them tomorrow in the standing committee on public accounts.

I read with considerable interest the attempted thrust, hearings, meetings, whatever it was that the Liberal cabinet had for a couple of days, with the exception of the Treasurer and one or two other ministers who decided to stay down here in southern Ontario. I am sure I must have missed it or maybe this was one of those rare occasions where the press may have missed something of tremendous importance. Knowing the family history of the Treasurer, however, I am sure there must have been some announcement about the expansion of the Province of Ontario Savings Office to northern Ontario.

Did I miss that or did the fact that the Treasurer himself was not in northern Ontario make him choose to keep it back as something that he will announce in the near future in northern Ontario?

16:50

Hon. Mr. Nixon: I know of the honourable member's continuing interest in the Province of Ontario Savings Office and he knows of mine. In case anybody has not heard our exchanges on this matter before, I will recall that my sainted father was a member of the government in 1923 when the savings office was inaugurated. It had more elaborate terms of reference then and I think part of its name was "farm loan office" or something such as that. The government changed before it got into the loan business but it has continued to receive deposits and has an establishment of a certain number of offices around the province. This number has not changed except in a very minor way for many years. I do not believe it extends into northern Ontario at all.

Just by the way, there have been a couple of minor changes. In the city of Hamilton there may be two branches of the savings offices that I know of that have changed locations into more

desirable areas, and in the city of Brantford there is going to be a change in location because of downtown redevelopment. It is not terribly significant, although I expect it will cost more in rent.

We have also opted for daily interest, simply to keep us somewhat competitive with the other deposit-taking organizations, where the competition is very high indeed. Our daily interest is designed to be competitive and since we have made these minor adjustments, the funds on deposit have been increased by more than \$30 million, \$32 million. I just put that out there for consideration.

The thought that the savings office would move into the north is an interesting one. I find it helpful that the spokesman for the New Democratic Party is once again going on record to recommend it. As I recall, the spokesman for the official opposition has recommended expansion as well, and I will keep those quotes handy in case I need them.

Frankly, I think an argument might be made, not particularly for the government going into competition with other deposit-receiving organizations in the major urban centres, but for providing a deposit service in some of the more remote communities where they really have no service that way. I do not call it a banking service because we are not in the loan business at present.

However, I had an interesting discussion with the Treasurer of Alberta, who is a very forward-thinking and progressive Conservative. He indicated the strength of the Alberta Treasury Branches, as they are called, that are found widely distributed in all the communities in Alberta and that give quite an extensive service not only in deposits, deposit taking and cheque cashing, but also in services much more extensive than those.

I was quite interested that the business community in that mecca of conservatism did not seem to be particularly concerned about it and felt it was an appropriate service of the provincial government. The Treasurer himself has been steeped in the tea of Toryism like nobody I have ever met, but is extremely capable and forward thinking. After all, he had been a member of the government, one of the most Conservative ones anywhere, and dealing with large surpluses up until this year. Very low tax efforts were necessary because of heavy revenues from resources. It did not occur to him that in a forward-looking jurisdiction such as Ontario there might be those who would have second

thoughts about maintaining the deposit-accepting organizations.

It is in my mind, although I have not had a chance to pursue it as I might have, that deposit-taking services might be enriched in remote communities where they do not have alternatives. I am not suggesting opening up a bunch of offices but, particularly where there are other provincial offices and staff, we might add that effort as a service of the Ministry of Northern Development and Mines offices or the Ministry of Natural Resources offices. Perhaps the liquor stores? No, I think that might be going a bit far.

Mr. Philip: I am pleased that the minister has gone to Alberta to do personal research on the research I have tabled in the House for two, three, four, five or 11 years, or whatever, for him and his predecessors. I think he is making far better use of his time than the Minister of Consumer and Commercial Relations (Mr. Kwinter) made of his time when he took a submarine ride in the West Edmonton Mall and then wished to give away \$60 million of our tax dollars to the Ghermezians.

Mr. Ferraro: He never said that.

Mr. Philip: I am sorry; he did say that. On a point of order, Mr. Chairman: If what I am saying is being challenged, the member can stand up and say that, but it is in print. If he is calling the various newspapers liars, he should say so and say so out of the House.

Mr. Chairman: Order. That is not a point of order. It was simply an interjection. Carry on with your comments about the Treasurer.

Mr. Philip: Why is it that the minister is thinking only about giving some competition to the banks in Ontario? His father thought about it and in 1921 actually managed to implement the program. It was of use to farmers. In Alberta it has been of use not only to farmers but also to small business. One would think that if the government were interested in any kind of industrial strategy, then the Ontario savings offices, if they were similar to the Alberta savings offices, could be one of the planning tools or one of the useful tools in creating jobs and in stimulating those parts of the province where investment is needed and loans could be made.

I can assure the minister, having read the history of his progressive father, that his father did not lose the election over giving competition to the banks through the Ontario savings offices. In fact, the Liberals may have gone down for a variety of other reasons but it was a rather

popular move on the part of the farmers' labour party or whatever you want to call it, the forerunner of the Liberal, Co-operative Commonwealth Federation and New Democratic parties.

Hon. Mr. Nixon: I like the name. I have an accord here.

Mr. Philip: I said "parties." I said it in the plural.

Why is it taking this Treasurer so long to move forward into the 1920s when his father was able to do it so amicably and receive so much personal support and make his name in history as doing something very progressive? Why is the Treasurer not prepared to do more than think about it?

We are one stage further than we were last year. At least the Treasurer has gone to Alberta. I assume his major purpose was not to go down into a submarine, but rather to have some real dialogue with the Treasurer of Alberta.

If Alberta can have billions of dollars that can be used for economic stimulation through competing with the banks through a loan system and keep the money in the province, then Ontario can follow the good example of Alberta. If the Treasurer does not want to follow the example of the Alberta Conservative government, then maybe he should follow the example of his father.

The minister will no doubt want to answer that at great length, in the same detail in which he answered my questions about the courtship between his government and the Ghermezians, which answers I doubt have shed much light on the subject.

17:00

Let me move into another area. As our party's critic on government spending, one thing I am concerned about is the way the previous government, and this government is following the same trend, set up certain agencies that are allowed to charge premiums and to run up large amounts of money which may not be technically tax money but invariably have the same effect. If money is taken out for a service and those businesses or individuals in the province have no say about whether those moneys are being paid, that is a tax in a different form.

One of my concerns is that many of these agencies are completely unaccountable except when a major inquiry or a major scandal happens. The most blatant example of an ineffective, useless organization is the Housing and Urban Development Association of Canada home warranty program. Everyone who buys a house pays for the HUDAC home warranty

program. It is an organization that is bureaucratic, that has wall-to-wall lawyers to put in the way of any consumer wishing to get any kind of rebate out of it and that is so defensive it has challenged the jurisdiction of the Ombudsman to look legitimately into complaints against that body.

Another example is the new scheme of the Minister of Consumer and Commercial Relations. The Ministry of Consumer and Commercial Relations comes up with all these crazy schemes in which it can say the consumer is out there and it is the honest broker, but it is an independent organization that makes the decision. What is happening is this latest idea that, instead of bringing in proper lemon laws in this province, the Minister of Consumer and Commercial Relations is going to have a scheme of arbitration as of November 15. If one buys a car and gets ripped off, one can go to this organization or body. It is very interesting. It does not even give the consumer the power to subpoena documents to prove his case.

Those are the things this government and the previous government have set up. They are schemes that are costly, they are schemes that are not fiscally responsible and it is very difficult to get any kind of information on them.

In the standing committee on public accounts, we had the latest example, the Industrial Accident Prevention Association. At least we have the Provincial Auditor, who has some ability to examine that body because of his jurisdiction over the Workers' Compensation Board. When he did, this so-called independent body, to which the Ministry of Labour had indirectly given some \$13 million plus per year through workers' compensation premiums, was found to be completely irresponsible and negligent in its accounting functions and in its controls. It did not have a control system and it failed to evaluate any of its programs in a substantial, scientific manner. What we have is a multiplicity of these.

Is the Treasurer not concerned that the previous government used these kinds of techniques to be able to say: "We are not responsible. It is this agency or that agency, and it is arm's length"? At the same time, it is costing the consumer and the taxpayer more and more money, either directly or indirectly through some premium scheme. Is he worried about that and is he worried about the accountability of it?

In the case of some body such as the HUDAC home warranty program, would he at least support the recommendation of the Ombudsman that he have jurisdiction to investigate it?

Hon. Mr. Nixon: I can assure the member that I, and we, set a lot of store in the findings of the standing committee on public accounts. It has been extremely busy and we all know that. Sometimes we feel that it spends more time than is warranted on certain aspects of the review, but that is bound to be natural depending on one's point of view.

The public accounts committee's review of such things as HUDAC and the safety organization are important for the government. I can assure the member we take that seriously. I think HUDAC was a good idea as a way to guarantee the quality of construction in the private sector. At the time, I felt it might have been a mistake to go to what was essentially a private organization and give it the power to do that. There was an occasion, going back to 1981, when I felt particularly strongly that it was wrong. It seems to me the president of HUDAC took an active role in an election campaign that year. Since he was operating an organization conducting a public responsibility and allocating public funds, my feeling was there was some concern. As I think about it now, I feel a flood of return of that concern.

I am not sure whether the organization is under review. I do not think there have been any specific complaints or comments other than that it is doing a reasonably good job. The recommendation from the public accounts committee will be seriously considered.

I would also like to say something about the safety organization with the four letters because it is responsible for the ads on television, is it not?

Mr. Philip: I believe the ads are under the Construction Safety Association of Ontario. There may have been one by the Industrial Accident Prevention Association that was what one would call sexist, but it was in a small publication. The major objections have been to the advertising of the Construction Safety Association of Ontario.

Hon. Mr. Nixon: Probably knowledgeable people such as the honourable member and others might say those are objectionable. I do not know whether they are any good or not. I find they compel my attention because I know the guy is going to fall off the ladder, I know he is going to get a terrible electric shock, I know that thing is going to get him in the eye, I know the truck is going to back over him and I know he is going to step on the nail. Even though I have seen it a lot of times, it makes a tremendous impact. It may be useless for safety but I do not know of any ads,

other than a few beer ads, that make the impact those do.

There is some thought that there is too much money and there are too many portraits of the various presidents in the boardroom and so on. I really dislike that stuff, particularly if it is done with public money. I dislike that and I want to be associated with any criticism that can be directed at that kind of waste of public money.

Mr. Philip: While we are talking about the ads, the objection was not to showing the worker getting hurt. It was that they were completely one-sided. The emphasis seems to be, "You are a stupid worker because you are actually going to go on the job site without...." The one that goes up my spine is the fellow who has no safety boots on and he steps on a rusty nail that I am sure goes all the way to his tonsils.

The criticism is that there are no ads on the other side. If those ads are effective, why not have an ad that shows an employer facing a large fine or an inquest finding that suggests the employer is guilty for not following the laws of Ontario with respect to health and safety? All of the ads depict the poor, dumb, stupid worker who is always doing something wrong. Yet when you go out on a site you find that certain things the employer has an obligation to do under the act are not being done. Nobody in those ads is saying: "As an employer, you have a responsibility and if you do not do this there are certain consequences. The consequences are not just that the employees get hurt but that we have ways of getting back at you." That is the objection; it is not a balanced ad campaign.

17:10

Would the minister not also agree that all the evidence shows these programs are not adequately evaluated? If we are going to spend that kind of money, we need to have a way of examining the objectives, of having them stated clearly and of having them evaluated. What has happened is that at the same time as the Industrial Accident Prevention Association has been holding these great, gala conventions every year and spending more than \$13 million, the accident rate is going up. That is not the best use of taxpayers' money.

I worry about accountability. Every once in a while we can get directly at some of these organizations through the public accounts committee or through the Ombudsman, but we have no jurisdiction over some of them. Unless we can prove the money came directly from taxes rather than from a premium or some other system such as that, it is next to impossible even to have an

inquiry into a lot of these organizations. It strikes me that is not accountability.

If we are going to talk about fiscal responsibility, we have to look at some of these runaway organizations, how they are collecting their money and how much money is taken out of the pockets of the taxpayers of Ontario.

Mr. Chairman: Before going too far down this road, I think we are straining the estimates of the Treasurer a lot. Perhaps we can keep a little closer to the dollars that he has and to the estimates that are in his votes and items.

Hon. Mr. Nixon: I think your advice is good, Mr. Chairman. I will just indicate to the honourable member that I am not as familiar with the internal workings of those organizations as the member is as a member of the public accounts committee, although I have read the reports of the discussions.

As a farmer, I represent an industry that I believe has the highest accident rate in Ontario. A lot of people do not think that; they think it must be firemen or miners or construction workers, but I believe it is farmers. This concerns me very deeply. Many of my friends have been injured, sometimes brutally, by farm machinery. One of my very best pals, who used to farm in co-operation with me, lost his life under a tractor. It was terrible.

It may be that our legislation and regulations are not good enough, but I will tell the member there is nothing like the ads on TV to make an impact on individuals. I agree the responsibility of the employer is paramount. Maybe there should be ads saying, "You are going to be fined and put in jail if you do not shore up your excavation properly," or whatever. I think that is important. We have inspectors and laws to deal with that.

I think the aim of the ads we have been talking about is to make an impact on individuals, to sensitize them to the fact that, in spite of the laws and in spite of the inspections, the individuals have tremendous responsibilities in the whole matter of safety.

The fact that the accident rates are going up is appalling; in the first instance because of the injuries themselves, and in the second, on an entirely different level of importance, because of the costs met through the Workers' Compensation Board and through the injured individuals themselves.

These costs are escalating at a rate that concerns me as Treasurer. The actuarial deficit, if that is the proper term, which accrues to the employers and not to the government but which

is associated with the WCB, is such a huge and growing amount that the time may come when our auditors are going to expect us to report this as something we are not responsible for but at least we are cognizant of.

Mr. Philip: On that point—

Mr. Chairman: Excuse me. We have other members who want to go on. Is this on the same subject, which is very distant from the Treasurer's estimates?

Mr. Philip: In responding to the Treasurer concerning farm safety, since the Treasurer raised it, I want to—

Mr. Chairman: I think I had better put an end to this. The Treasurer said I had good advice and then went winging off in left field in the same way.

Mr. Philip: Allow me to say to the Treasurer on this one point that if all the accident prevention associations were as clean as the Farm Safety Association, then the gallons of blood the Industrial Accident Prevention Association shed before the standing committee on public accounts would not have been shed.

There is one problem. Does the Treasurer not feel there are too many accident prevention associations and massive duplication and perhaps a rationalization of those associations might save a considerable amount of money?

Hon. Mr. Nixon: The member is probably right.

Mr. Brandt: The interesting part of the estimates of the Treasury is that they cover such a vast expanse of provincial activity that one sometimes has to question exactly where to start in developing a line of questioning. I would like to pose a question for the Treasurer, and by way of background information, this is to assist me in getting some insight into the workings of the Treasurer's mind. That is going to take some doing, I know, during the exercise we are about to go through.

If taxes are of necessity to be raised during times when we have a relatively buoyant economy, and I think that is an admission both of us can make without any serious question being raised about it, what would the Treasurer's intent be at a time, predictably in the future, when there is less growth and when the level of revenues may be somewhat softer than at the moment? What does he plan to do about two things in particular, the increase in taxes the people of this province are being forced to pay as a result of his most recent budget and the increase in the deficit?

I ask him those questions against the background that it is my view that, in an economically responsible fashion, a Treasurer would be pressed into a situation where he would have to raise the deficit during difficult times but would attempt to do quite the opposite, reduce the deficit or reduce the demand, not necessarily in terms of revenues but in terms of tax increases, at a time when the economy is growing. Will the Treasurer give me his own view about why he did what he did at this precise time in our history and what he intends to do in the future when he is faced with an entirely different set of circumstances?

It is \$750 billion.

Hon. Mr. Nixon: No. I was looking for what the cash requirement was in 1983, when the government the member used to be a part of faced those circumstances. I do not recall any earmark, other than huge increases in the cash requirements. I do not recall any significant reduction in administrative costs. I do not recall the government refraining from tax increases except the year before the election, when the then Treasurer, the member for St. Andrew-St. Patrick (Mr. Grossman), brought in a budget with no tax increases. The earmark was a huge increase in cash requirements, which amounted to—I cannot see the definite number, but it was \$2.2 billion or \$2.3 billion; I think it was \$2.2 billion.

When we took office, the level of the deficit was about \$1.8 billion. We had some programs we wanted to introduce, but we were not prepared just to take over the old, worn levers of power and run it the way the run-down machine was wobbling along. We had some programs we wanted to bring forward to increase the development of the north; to improve the situation on the farms; to provide 10,000 day care places; to provide more money for post-secondary education, hospitals and municipalities—to begin to make up for the drought of provincial support that had been the earmark of the dying days of the Progressive Conservative years.

17:20

It was my feeling as Treasurer that rather than say, "We are going to do all those things and we are just going to add that to the deficit," it was essential that we pay as we go. That is a phrase that used to be popular back in the late 1930s and 1940s, but pay-as-you-go became a bit disreputable with Keynesian economic theory based on pump priming and improving working conditions. It is very rare that you get to a period of time when things are so buoyant that there are not

substantial improvements to the economy that cannot be justified.

The member and I both agree the economy is buoyant now, yet the questions today all press the government to do more in northern Ontario. A few days ago, members pressed the government to do more for the farmers. Both those suggestions are worthy and worth while and the government, as usual, is giving them careful consideration.

To undertake these programs and to return what we consider to be fiscal responsibility to the province, we thought if we were going to do those things and carry the load of debt we inherited, it was necessary to increase taxes to meet those requirements. The member knows the budget a year ago increased taxes on an annual basis by about \$650 million. The original figure was \$700 million, but there were certain refinements in the gasoline tax of which the House did not approve. It was about \$670 million at the time of costing. The member also knows the buoyant economy has probably increased the revenues on that tax-base change; so it is substantially more than \$700 million now.

The economists in the Treasury, in whom I have a great deal of confidence, indicated large increases in taxation would have an effect on the economy, and we had to balance what we saw as an emerging buoyancy with that effect. Since the money was going into new programs and not exclusively to the reduction of cash requirements, it was our assessment that the negative effect would be minimal.

I can remember the Leader of the Opposition (Mr. Grossman) questioning me repeatedly a year ago on what studies we had on the negative effect of the tax increases. The studies were based on the fact that new programs in government utilizing those funds for the stimulation of the economy and the improvement of the community would not have a negative effect. This is not some political judgement; it is the judgement of the same economic advisers who had been so useful to my predecessors.

I should make sure members are aware that Dr. Bryne Purchase is advising me at the table even now. I do not want to undermine his independence, which I can assure members is pristine, but he has done a good job in the years he has been in Treasury, and I am very proud to be associated with him now.

It occurred to me—and I even used the word in a bit of a press scrum after the announcement a couple of days ago—that I am quite fortunate. I used the word “lucky,” which is true. I am not

prepared to try to convince the member who asked the question that the economic buoyancy is entirely as a result of the initiatives taken by the new Liberal government. I sometimes try to persuade other audiences of that, but I am not prepared to spend the time or the energy that would be required to do it here.

The drop in world oil prices and the relatively low value of the Canadian dollar are two things that have provided tremendous stimulation and have allowed Ontario to become one of the most competitive jurisdictions in the western world. International financiers who want a place to invest their money in manufacturing processes and so on know we have a good work force and our pay levels, which many people think are not high enough, are competitive, to say the least. This has given us a remarkably valuable position to attract that international finance.

These things have all established an atmosphere of confidence and buoyancy, which shows up in our revenues and allows me as Treasurer to support my colleagues in the programs they feel are essential.

At the same time, the honourable member will know I have certainly not lost track of the cash requirements which, when we came in, started at \$1.8 billion. I announced yesterday or the day before that these are now estimated to be \$1.4 billion. If the Leader of the Opposition is right when he projects we are going to find another \$400 million somewhere, it is possible the cash requirements may be even lower. It would be great if that were the case.

The idea of balancing the budget is always attractive, and it would be just great to be the first Treasurer since Charlie MacNaughton to balance the budget of Ontario. It would be like having a second Christmas, but it is not my main aim as Treasurer. What has been accepted by me as a suitable aim is to balance the ordinary revenue and expenditures so we are borrowing only for capital, which we would have the advantage of now but which people coming after us would also be using. My own feeling is it is quite justifiable to borrow money for that purpose.

When the member for St. Andrew-St. Patrick was running for the leadership for the first time—and the member for Brantford (Mr. Gillies), who is his close follower and supporter, would be able to advise me on this—he promised to balance the budget.

Mr. Gillies: In three years.

Hon. Mr. Nixon: That is fine. In 1979, Darcy McKeough promised to balance it in three years.

That was followed by three of the biggest deficits in the history of the province.

Mr. Gillies: But Larry meant three real years.

Hon. Mr. Nixon: It was something like that. That is a fact. He said he was going to balance the budget. I remember his standing here, and I thought, "The SOB is probably"—no, I said, "I bet he will do it." But it did not turn out that he had a chance.

There is always a temptation for Treasurers to say, "I am going to balance the budget." Frankly, I think it is possible, but I do not think it should be done if we are going to move into an area where we are cutting programs or the social fabric of Ontario. We have to keep up to the times and provide for the requirements of a modern community. There is a balance there. If our economy continues to be buoyant and we are able to persuade the taxpayers and the voters of the province to allow us to continue to have an opportunity to manage their affairs, it is quite possible that would happen. I am not predicting.

Mr. Brandt: Never.

Hon. Mr. Nixon: It is not impossible.

The member is asking me something about my philosophy in these matters. I think it is quite clear that I am not afraid to levy taxes to pay for programs that the government feels are necessary. If we cannot go out and convince the taxpayers it is proper for them to pay more for new programs, then obviously the electorate and the taxpayers will make other choices. We understand that. Eventually they will make other choices. As the Premier (Mr. Peterson) has said repeatedly, as old democrats we know that will occur, and we just hope the 42-year cycle that has been established will be repeated and we will have no complaints.

17:30

Mr. Brandt: As a follow-up to that, which was an extremely lengthy response to what I thought was a relatively brief question, I found it interesting that the Treasurer commented on the old, worn-out parts of the previous government. As I look around this esteemed chamber, I see many of those parts now working rather well in different capacities, even with the current government. I do not want to mention any specific names, but the same parts are functioning in some fashion or another.

I want to ask the Treasurer whether some of those parts still functioning within the Ministry of Treasury and Economics might be issuing any warning signals about an upper limit that the Treasurer may be closing in on, the maximum

amount that can be extracted from the taxpayer, before he runs into a series of decreasing returns in terms of the provincial economy.

There are those who might suggest the entire tax system is going to have to be looked at. There are some inequities in it. I say that specifically as it relates to some of the so-called middle class today. I will give some general numbers. A person who earns \$33,000 or \$34,000 in Ontario today works from January 1 to approximately the end of June, or about half a year, before that individual starts to have any money for himself as opposed to money that is extricated from all his various pockets by government.

In terms of the many activities on the busy plate he has to deal with on a daily basis, is there any thought on the part of the Treasurer to look at some changes in the system of taxation that will relieve the burden of taxation on the low-income and middle-income classes to some extent, perhaps either to move it around or to change it in some way to reflect a fairer system? I say this recognizing there are those who can probably set figures before the Treasurer which would prove Ontario has the second-highest tax of any province in Canada. I leave that with the Treasurer, and I look forward to his response.

Hon. Mr. Nixon: It is typical of the honourable member that he thinks only of working half a year for the government rather than being optimistic and positive and realizing he works half a year without paying a cent of tax. He should think of the opportunities.

Mr. Gillies: That is why I always take January off.

Hon. Mr. Nixon: If he feels he is working for the government from January 1 to July 1, that may explain why he normally takes January and February off and goes to Florida.

Mr. Brandt: No.

Hon. Mr. Nixon: Anyway, to tell the truth, this idea that people are working like slaves in a salt mine for the government for half the year is the sort of thing I would be talking about if I were in opposition. If the member wants to think about that, perhaps he will quit.

In answer to the question, I certainly think there is a limit. We expect a limit to taxation. We expect our social unit to continue to be the family. The unit has changed quite dramatically, as there are usually two wage earners or salary earners in the family. That is why we are looking at child care in a much more immediate and formal way than the previous government did. If we are going to go into those sorts of expensive

services, that may very well be the kind of service which, if made universal and appropriate across the province, would require somebody such as me to go out to the people and say: "We feel this is an important expanded service, which should no longer be considered a sort of welfare service but the right of the community. We may have to raise taxes to pay for it." We would have to think of that.

I do not believe we can go out and raise taxes that are seen simply to be supporting an old, tired, wasteful governmental machine that is not productive and reform-minded. Perhaps the word "progressive" might appeal to the member rather than "reform-minded."

Mr. Brandt: A good word.

Hon. Mr. Nixon: Right. On the other hand, the member is getting into an area of great importance. It is implicit in what he said that we may have to have a careful look at the whole tax system, and he is reflecting what I have said when he was not paying attention, what the Premier said, and perhaps more important for the member, what Michael Wilson is saying and is concentrating on.

Last Thursday and Friday, I went to Edmonton, incidentally to find out about the Alberta Treasury Branches we are referring to briefly, but mostly to sit down with the treasurers from across Canada under the chairmanship of Michael Wilson and discuss matters of mutual concern, including tax reform. We as politicians might be able to attribute certain motives to the new-found enthusiasm for tax reform at the federal level. If you look at the election cycle, tax reform—particularly since it has proved so popular, although it has not proved effective as yet in the United States—is something that any sensible politician here would look to.

I believe, and I am sure Mr. Wilson does as well, that besides the very proper political pressures for reform, there is a real requirement that we look at our tax system so we can improve its fairness and equity and simplicity. I tend to talk too long in my answers to members' questions, but tax reform for the man in the street usually elicits the thought, "At last, I am going to pay less and those other people are going to pay more." Whatever tax reform might be for the Minister of Finance for Canada, we are going to prepare a better apparatus to pay our bills and reduce our deficit. The federal deficit on a yearly basis is the same size as our all-in budget in Ontario.

Everything is relative. I can say we need more revenue, and as we look into the coming year, we

see how programs are growing very rapidly, such as the drug benefit program, the Ontario health insurance plan and dealing with the doctors on a new contract. We have already announced additional funding for post-secondary education, and municipalities are demanding more money for roads. The Minister of the Environment talks to me repeatedly about additional funds needed to clean up our environment, the beaches, the water, the air, the soil, acid rain.

The pressures are all there, and the members present, having recently been in government, know what that is like. Having run ministries themselves, they know how dearly we would like to get our hands on a little extra money to accomplish some new program we think is important in the areas in which we have special interests. The member who asked the question was Minister of the Environment, and very highly regarded as such. He knows how almost limitless the requirements would be if we were to embark on a program to do what he knows eventually has to be done.

Tax reform, then, from the standpoint of some treasurers and maybe the Minister of Finance, is essentially in the long run designed to get more revenue, it is to be hoped on a fair basis that is acceptable to the people. Nobody likes paying taxes, but individuals can be convinced that it is appropriate for certain tax changes to be made for fairness and equity and for revenues to be increased to pay for specific programs.

I would like to hear the member's view on how tax reform might proceed. In the US they increased the corporate income tax tremendously, not the rate, but by the removal of preferences and loopholes. They said, "We are going to take that money and reduce personal income tax." That is very popular. I have even heard members in this House say that corporation taxes should be increased so the little man, if there is one, will have lower taxes to pay.

The New Democratic Party used to say, "Let Inco pay." They do not say that much any more. They just say, "Let the corporate welfare bums pay," which is rather a popular, acceptable concept. I have mentioned that as I drive into Toronto, there is a railway overpass with a big piece of nice, clean concrete. In the last election campaign, somebody could not resist taking a can of red paint and painting on it, "Let the rich pay." What a great slogan. There was a hammer and sickle right after it, but that is irrelevant.

17:40

Mr. Foulds: We have revised that to, "Let the rich pay their fair share."

Hon. Mr. Nixon: Oh, yes; their fair share. "To each according to his needs."

The Americans have had a lot of popular success with this. It is interesting that most people associate this tax reform with the Republican Party, yet last night we saw that the people did not respond with enthusiasm to Republican candidates, at least in the Senate, and the control passed to the Democrats. It is rather depressing to think that even good government sometimes is not adequately recognized by the electorate.

It appears from Michael Wilson's statements—and I have carefully read everything he has said; I think he has had it prepared very carefully—that he is committed to a substantial reform of the federal sales tax, which is now restricted in its application to about a third of the goods and services sold, at a level of about 12 per cent. That returns a lot of money but obviously it is an anachronistic tax. It means domestically produced goods are taxed at a higher rate than those goods that are imported. There are all sorts of anomalies; so he can justify a thorough-going reform.

He is talking about a business transfer tax, which might very well apply what amounts to a sales tax, not on one third of Canada's goods and services but on two thirds of Canada's goods and services. He might very well be able to reduce the rate from 12 per cent to three or four per cent and get even a little bit more money, heaven forbid. That is going to have quite an effect on our tax base, because if we are applying our seven per cent sales tax without changing our base and the federal sales tax goes down on those items, then our revenue will be decreased.

One of the first things we have said in these discussions is that we want to participate in any tax reform, at least to the extent that our provincial revenues are maintained and that initiatives taken in Ottawa are not going to undercut us and leave us scrambling to stay in the same place.

Michael Wilson has already unilaterally reduced the transfers for established program financing which, at the end of this five-year cycle, will have cost us \$5 billion; actually more than that. It is quite significant. He was criticized by Liberal treasurers, but mostly Tory treasurers, for doing that, almost with as much bitterness as they used to criticize his predecessor for acting unilaterally and in a high-handed way and for not thinking about the provinces' needs sufficiently. He has great responsibilities as well. I have a lot of sympathy for what he is doing, and I tend to

have a high degree of support for at least his aims to improve the tax system, etc.

He is interested in expanding the sales tax dramatically and using those additional revenues to lower income taxes. His statement in the House of Commons was quoted, although I thought the reporters had perhaps taken a little poetic licence when they said Wilson was going to give you more take-home pay.

Mr. Foulds: Journalistic licence.

Hon. Mr. Nixon: Yes, journalistic licence, although some of them are poets.

He is also considering changes in the corporation tax. It would be helpful for me to know members' views, either in this debate or later, on where the emphasis should come.

I believe, and I have always been taught and I do understand, that sales taxes are regressive. One can moderate that regressivity with tax credits and things such as that, but the more one puts in taxes based on the ability to pay, the healthier is the tax structure.

I am a little uncertain about the new emphasis on a sales tax at the federal level. I also know our seven per cent sales tax returns to us about \$700 million for each percentage point. We are right up there at around \$5 billion from sales tax; so I cannot be too pious about it. I am not thinking of abolishing it or anything, but certain changes are possible, and it would be very helpful for me to hear from the members and from the select committee on economic affairs in the province, chaired by the member for Kitchener (Mr. D. R. Cooke), which will be undertaking these reviews if it ever gets a chance.

Mr. Brandt: The Treasurer was looking for some thoughts with respect to tax reform, and I would say in a very general sense this party would certainly not oppose any initiatives or moves on his part to remove more of our less-privileged citizens from the tax rolls and to continue to shift the tax burden to some of the higher-income groups and perhaps to some of the corporations as well. That is not something this political party would oppose, because we have done exactly that in previous budgets where we relieved the tax burden on those who were at the lowest end of the economic scale.

In terms of a general thrust, there is more that can be done by the Treasurer and by the current government, particularly during a time of a relatively strong economy. Those individuals who are continuing to suffer from the limitations of their economic circumstances should not be paying taxes. That tax burden, because it has to be made up—and I fully recognize that—has to be

shifted to others who in some instances are paying no tax or very limited tax in relative terms.

I want to raise another question about a concern I have relative to the way in which some of the statistical bases developed in Ontario flow to the Treasurer's office at the moment. I speak specifically of the way in which the figures are computed for purposes of assessing the regional strengths or disparities in each of the regions of the province.

It appears that we have been using essentially the same fundamental statistical base for some time. Western Ontario is looked at as a unit, or southern Ontario, in the same way as northern Ontario, eastern Ontario and the Metro Toronto area. Because of the circumstances we are faced with in the province at present, the true regional disparities are not showing up in many instances. I am sure circumstances are considerably different in some regions of the north, for example. We know that is an area that needs a great deal of attention and it is an area our party is very much in favour of seeing given that additional assistance as a result of it being identified as an area of some concern.

The same can be said of eastern Ontario, but I want to assure the Treasurer, from the reviews I have taken of some of the communities in southwestern Ontario, there are a great many that are also suffering from unemployment rates equally as high as those that exist in the north. There has been a lot of attention quite justifiably paid to single-industry towns in the northern part of our province and some attention has been paid—not necessarily today during question period, but at other times—to the eastern part, but there is a sort of quiet, assured attitude that all is well in western or southwestern Ontario.

There are communities such as Chatham, Wallaceburg, Sarnia, Brantford—which has had some very serious problems, not too far from the Treasurer's own riding—and many communities across this part of Ontario which, because of their regional placement in an area that is relatively buoyant, appear to be doing somewhat better than they really are.

How does that reflect on the Treasurer's budget? Let me give an example. The Treasurer came out with a program, which I support and applaud, with respect to a tax write-off. There was a 30 per cent write-off given in northern and eastern Ontario, and the rest of the province was all treated in the same fashion in terms of that particular program. This was for investment in

the small business community. The Treasurer now knows the program I am talking about.

17:50

Hon. Mr. Nixon: The small business development corporations.

Mr. Brandt: That is correct. For the purposes of the rest of the province—excluding, if one will, all of eastern and northern Ontario by regional definition—the rest of the province was all treated as though it was a “have” part of the province. That is entirely untrue. I do not want to get parochial in our discussions today but let me share some of the concerns I have about the area I represent.

With 4,000 construction workers in my area, at present 3,000 are unemployed. That is an effective unemployment rate of 75 per cent in one segment of industry in my community. By way of comparison with some of the northern communities being devastated by layoffs as a result of the problems with the lumber industry at present and shutdowns in the mining industry and all the problems they are facing, many of those communities do not have nearly the kinds of problems some of the communities in western Ontario are facing.

I know there are no quick-fix answers and I am not going to take an irresponsible opposition position and say the Treasurer has in his bag of tricks an immediate response he can give to some of these difficult and complex problems. For starters, I suggest he have his staff take a more realistic look at the changes that have occurred within our province. We all know, as an example, that there is far too much development being concentrated in the Toronto area. We have to look carefully at the cost of that development in environmental terms and in terms of the municipal infrastructure required. I am talking about overhead roads, subway systems, a whole series of costs that are much higher in a community as large as Toronto than would be the case in a community the size of Brantford, London, Windsor or wherever.

There are some tradeoffs in that situation. Industrial stimulus provided in Thunder Bay, even though it looks like a net outflow of dollars to that community, may well be cheaper than paying nothing in Toronto for a particular industry but then having to pay all the attendant additional costs associated with a concentrated community that is built up in a very intensive way.

I do not think I have ever seen developed at any time economic figures that took some of those concerns into account. I admit it is not an easy

question to resolve in Treasury terms when trying to get the maximum return on an invested dollar. I want to share the concern I have about the regional disparities, which we are all aware of, and the statistical base that relates to those regional disparities, which is somewhat misleading in that some dramatic changes have occurred. I suggest there can be some modification of the information flow the minister gets so that the picture he is receiving will be somewhat more accurate than what he is getting at present.

Of course, the bottom line of my plea is that when those figures percolate to the top and he sees a more accurate, more true picture of where those disparities are throughout Ontario, he will then fix certain programs that will be directed towards overcoming some of those problems. One of the ways is through SBDCs and my direct appeal is that at least some portions or some parts of the province should be treated with consideration equal to that with which the northern and eastern parts of the province have been treated. I am not saying take something away from them; I am saying give the same consideration to other parts of Ontario that are suffering just as badly, that in many instances have one-industry structures in their communities and that are looking for some way or means by which the Treasurer, in concert with his colleague the Minister of Industry, Trade and Technology (Mr. O'Neil) and whoever else, can help them come out of this problem.

I have spoken at some length about this. Perhaps the Treasurer would like to respond in his normal brief fashion.

Hon. Mr. Nixon: I can respond in perhaps less than five minutes. The honourable member talked about disparity in geographic terms. He began his remarks by talking about disparity in the income spectrum and indicating how effective the previous government had been in attempting to assist in that. In the two budgets I have presented to the House, we have increased the tax reduction commitment so that 700,000 people in Ontario, who are taxpayers under federal law, pay no tax in the province.

It still leaves some people who are below the poverty line, and I feel we have not done enough in that regard, but I am very proud of that commitment. At the same time, when we talk about the redistribution of wealth—and people such as the member would not be so keen about this—there is a three per cent income surtax which applies to people such as the honourable member and his friends who earn more than \$50,000 a year and who contribute—not enough, but some—

additional funds to the general revenue of the province that can be used for programs on a wider base.

I ask the members to compare that with the actions of the present government of Canada. In the brief time the member's philosophical friends have been in charge, they have entirely taken away the tax reduction program at the federal level. They have also given a very significant capital gains deduction of half a million dollars to everybody.

Maybe that is fair and equitable, except that it is not the people at the low end who have capital gains for exemption purposes; it is the people at the upper end, who are earning incomes well above \$50,000, who actually apply for the major parts of those. There is a philosophical difference in the two approaches. I am sure it is not enough to satisfy my friend the member for Port Arthur (Mr. Foulds), but it is at least worth mentioning in the presence of my honourable friend from Sarnia.

The chief economist, Dr. Purchase, has indicated that the province is working with Statistics Canada to develop better and more complete data on communities and regions, but we do have a very effective regional and sectoral branch in the Treasury which provides me with a lot of guidance in this regard. For example, the most recent figures show that the unemployment rate in Sarnia is 7.8 per cent.

Mr. Brandt: That is exactly the point I want to bring to the Treasurer's attention. Because the unemployment rate in Sarnia is computed by the federal authorities on a regional basis, it takes into account a much larger geographic area. The Treasurer's friend and philosophical colleague the mayor of Sarnia has on many occasions indicated that the unemployment rate in the urban area is at least double the figure the minister is quoting.

I ask the Treasurer to do something about it within the responsibilities of his ministry. I do not say this in an argumentative or provocative way. All I am saying is that if there are going to be programs directed towards communities that need help, then we have to work from an accurate base of statistics.

The figure I quoted to the Treasurer, which is about double the one he read back to me, is one that apparently even the federal authorities recognize is fraught with inaccuracies. They have indicated they are going to move towards a different form of database to come up with a more accurate set of figures. I know we are

running out of time, but I just wanted to correct the record with respect to that number.

Hon. Mr. Nixon: Just in this last moment, I want to accept what the honourable member has said. Brantford has suffered in the same way. Its unemployment rates have been associated with a fairly large area that we think is somewhat more prosperous, involving the Niagara Peninsula and Hamilton.

On motion by Hon. Mr. Nixon, the committee of supply reported progress.

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: I would like to report to the House that tomorrow we will continue with these estimates, but the House leaders will be meeting in the morning and, by agreement, there may be some bills we would like to consider. I am not in a position to tell you what they are right now, Mr. Speaker, but I think they are bills that were put forward at the last meeting of the House leaders involving Bill 8, the French Language Services Act, which is one we will be proceeding with, and supply.

The House adjourned at 6:01 p.m.

CONTENTS

Wednesday, November 5, 1986

Members' statements

Agricultural land preservation , Mr. J. M. Johnson	3103
Extra billing , Mr. D. S. Cooke	3103
Robert P. Bateman Award , Mr. Offer	3103
Guy Fawkes Day , Mr. Andrewes	3104
Sewage treatment plant , Mr. Hayes	3104
Conference on Northern Competitiveness , Mr. Gordon	3104
Occupational health and safety , Mr. Martel	3104

Statement by the ministry and responses

Occupational health and safety , Hon. Mr. Wrye, Mr. Gillies, Mr. Martel	3105
--	------

Oral questions

Conference on Northern Competitiveness , Mr. Gordon, Hon. Mr. O'Neil, Mr. Harris, Mr. Wildman, Hon. Mr. Peterson, Mr. Foulds	3107
Nursing homes , Mr. Cousens, Hon. Mr. Scott	3111
Algoma Central Railway , Mr. Morin-Strom, Hon. Mr. Peterson	3112
Nursing homes , Mr. Cousens, Hon. Mr. Van Horne	3113
Tariffs on softwood lumber , Mr. Laughren, Hon. Mr. O'Neil	3113
Residential rent regulation legislation , Mr. Gordon, Hon. Mr. Curling	3114
Layoffs in Sudbury , Mr. Martel, Hon. Mr. Peterson	3114
Emergency housing , Mr. Cousens, Hon. Mr. Sweeney, Mr. Rowe	3115
Extra billing , Mr. D. S. Cooke, Hon. Mr. Peterson	3116
Ministry regional office , Mr. Barlow, Hon. Mr. O'Neil	3116
Tourism in northern Ontario , Mr. Pouliot, Hon. Mr. Eakins	3116
Gasoline prices , Mr. Morin-Strom, Hon. Mr. Kerrio	3117

Petition

Residential rent regulation legislation , Mr. Hennessy, tabled	3117
---	------

Report by committee

Standing committee on regulations and private bills , Mr. Callahan, Hon. Mr. Nixon, Mr. McClellan, agreed to	3117
--	------

Motion

Committee business , Hon. Mr. Nixon, agreed to	3119
---	------

Second readings

Powers of Attorney Amendment Act , Bill 72, Hon. Mr. Scott, Mr. Eves, Ms. Gigantes, agreed to	3119
Employment Standards Amendment Act , Bill 128, Hon. Mr. Wrye, Mr. Gillies, Mr. McClellan, agreed to	3120

Committee of supply

Estimates, Ministry of Treasury and Economics , Hon. Mr. Nixon, Mr. Barlow, Mr. McCague, Mr. Allen, Mr. Philip, Mr. Brandt, progress reported	3127
---	------

Other business

Business of the House, Hon. Mr. Nixon	3146
Adjournment	3146

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Brandt, A. S. (Sarnia PC)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cousens, W. D. (York Centre PC)
 Curling, Hon. A., Minister of Housing (Scarborough North L)
 Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Eves, E. L. (Parry Sound PC)
 Ferraro, R. E. (Wellington South L)
 Foulds, J. F. (Port Arthur NDP)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Harris, M. D. (Nipissing PC)
 Hayes, P. (Essex North NDP)
 Hennessy, M. (Fort William PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
 Laughren, F. (Nickel Belt NDP)
 Martel, E. W. (Sudbury East NDP)
 McCague, G. R. (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 Morin-Strom, K. (Sault Ste. Marie NDP)
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting
 Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
 Offer, S. (Mississauga North L)
 O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
 Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs
 and Minister of Northern Development and Mines (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pouliot, G. (Lake Nipigon NDP)
 Rowe, W. E. (Simcoe Centre PC)
 Scott, Hon. I. G., Attorney General (St. David L)
 Stevenson, K. R. (Durham-York PC)
 Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
 Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
 Van Horne, Hon. R. G., Minister without Portfolio (London North L)
 Villeneuve, N. (Stormont, Dundas and Glengarry PC)
 Wildman, B. (Algoma NDP)
 Wrye, W. M. (Windsor-Sandwich L)



No. 61

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament

Thursday, November 6, 1986

Speaker: Honourable H. A. Edighoffer

Clerk of the House: C. L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 6, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

NORTHERN DEVELOPMENT

Mr. Foulds moved resolution 62:

That in the opinion of this Legislature, because of the devastating economic situation facing northern Ontario, including serious layoffs in single-industry towns, the potential destruction of jobs due to the American proposed countervailing duty on the softwood lumber industry and a current unemployment rate twice that of the provincial average, including in some communities, such as Hearst and Atikokan, an unemployment rate in excess of 35 per cent, the Treasurer of Ontario should accept recommendations not only of the New Democratic Party since 1977, but also of the Royal Commission on the Northern Environment (the Fahlgren report) in 1985, the Advisory Committee on Resource Dependent Communities in Northern Ontario (the Rosehart report) in 1986 and the standing committee on resources development in 1986, and establish immediately an independent northern Ontario economic diversification fund, managed by northerners, in order to diversify the northern Ontario economy, especially in single-industry towns.

Through loans, grants and joint ventures, this fund would be invested in development projects that meet the priorities set through community, regional and provincial planning, as well as through specific community resource planning agreements signed between the provincial government, the local communities and the resource industries involved. The moneys to establish the fund would come from a consolidation of existing northern development funds and programs and, in addition, through an earmarked percentage of provincial revenue from resource industry taxation.

The Deputy Speaker: The honourable member has up to 20 minutes for his presentation and may reserve any portion of this for his wrapup.

Mr. Foulds: I will reserve whatever time is left for the end.

The last time I had a private member's resolution debated, with help from all members in this Legislature, the resolution was passed. That resolution endorsing medically necessary travel for northerners was implemented by the present government. It is my fervent hope that the Legislature and the government will see fit to do the same with the resolution before us today. In my view, it is even more important than medically necessary travel, if more difficult.

If medically necessary travel was justified and just for the people of northern Ontario, then economic equality and self-sufficiency are even more justified. While the rest of the province enjoys an economic buoyancy at present, the north suffers an unemployment rate twice that of the province as a whole, and communities such as Hearst and Atikokan have real unemployment rates of 35 per cent.

I am pleading as earnestly and passionately for the economic needs of the north now as I did then for the needs of northerners to get equal access to health care. It is only by giving the tools to northerners to rebuild their economy and create jobs for themselves and their children that we can ensure not only their economic, but also their social, medical and educational wellbeing. This resolution makes two modest economic proposals, which will give at least two economic tools that northerners can use to control their own destinies and futures.

First, the resolution proposes there be a fund established to help diversify the northern economy. This fund would be managed by northerners and, thus, help put them in charge of their own destiny.

Second, the resolution proposes that the government create a new partnership with the single-industry communities of northern Ontario.

It proposes that the province take the leadership to ensure that planning agreements, which will be formal documents signed by the province, the local community, the workers and the company, be designed for resource-based companies operating in one-industry towns. Only by having such planning agreements will the interests of all of the parties, all of the co-signers, be respected. Such agreements would ensure that all

the partners in the enterprise of developing our northern resources would benefit.

I understand the fact that in Ontario we have a mixed economy, but does anyone seriously argue in 1986 that the interests of corporate investment should be the only interest? Does it not make common sense that the interests of the community, the interests of the workers, the interests of the province, and the investments by those parties also should be given equal consideration?

Let me elaborate on the northern Ontario economic diversification fund. New Democrats have been advocating this for years. My colleague the member for Sudbury East (Mr. Martel) first suggested this in the Legislature in 1977, when he proposed amendments to the act which established the Ministry of Northern Affairs. His amendment would also have established the northern Ontario tomorrow fund. Unfortunately, the government of the day did not see fit to accept them.

However, the north has seen fit to accept them. The idea has taken hold. It has currency in the north and throughout the whole province. This fund would be modelled after the heritage funds established with great success by the provinces of Alberta and Saskatchewan. We would, however, have to adapt them to the unique northern Ontario situation.

Recently, several Ontario reports from various parts of the political spectrum have endorsed and legitimized the idea. The Conservative-appointed Fahlgren commission recommended the idea in 1985; the all-party standing committee on resources development looking into the Sault and Wawa situations recommended such a fund in 1986, and the Liberal-appointed Advisory Committee on Resource Dependent Communities in Northern Ontario, commonly called the Rosehart report, recommended the idea.

This is an idea whose time has come. The fund could be financed initially as suggested in recommendation 28 of the Rosehart-Wildman report. I want to pay tribute to the work my colleague the member for Algoma (Mr. Wildman) put into that report. To quote from that report:

10:10

"Historically, residents of the north have been concerned about the depletion of the natural resource base and the outflows of the mineral and forest wealth. Present estimates place the value of the northern minerals and forest production in excess of \$15 billion per year. Little of this money has traditionally been reinvested in the north and the situation is further compounded by

the continued depression of base metal prices and weak commodity prices for pulp and paper products. At the present time, a variety of government programs exist, both federally and in Ontario, that can be used to stimulate development in new business and industry. Such initiatives, although laudable, have failed to create a significant long-term focus for development in the north. It is the belief of the committee that the opportunity exists and the political will is present in Ontario to provide such a focus for development."

If I may say, as an aside, this morning we have an opportunity to see that this Legislature has the political will to provide such a focus for development.

The recommendation of that committee was such: "That there be established a northern Ontario fund for northern Ontario. The fund would be administered by an independent board of seven northern residents appointed by the government for various terms with no appointment for more than four years (including reappointments).

"Administratively, the fund would report to the Minister of Northern Development and Mines on a yearly basis and be fully accountable to the Provincial Auditor.

"The initial moneys to establish the fund would come from the following sources:

"(i) The transfer of assets of the Northern Ontario Development Corp. to the northern Ontario fund;

"(ii) The consolidation of line ministry financial programs such as Nordev and AgriNorth;

"(iii) The transfer of 50 per cent of the special \$100-million commitment to northern Ontario made during the 1985 budget to the northern Ontario fund;

"(iv) An additional commitment financed through a percentage of provincial revenues from resource industry taxation; the appropriate percentage can only be determined by observing the initial operating year or two of the fund;

"(v) A negotiated yearly federal government financial commitment through the federal government's Canadian Jobs Strategy program."

I want to add that I believe there are two other sources available for this fund. At present, the rich gold deposits at Hemlo provide enormous wealth to those who have an interest in those deposits. We, as a province, should be looking at assessing a five per cent public smelter royalty on the production of gold bars, which would be designed to offset the windfall profits at those mines. Such a royalty would yield approximately

\$3 million annually once full production was reached.

This would be in line with recommendation 5 of the Foulds report, entitled the Economic Challenge to Northwestern Ontario, Report 1, the Mining Sector. I might add it would also be possible to add some, if not all, of the little known Treasury and Economics program, called the community economic transformation agreements program, in which the present government has salted away \$25 million. With an adaptation of that program, at least a portion of that fund could very well be adopted by, or sent to, the northern Ontario fund.

I want to emphasize it is only by having such a fund—accountable to the province but managed by northerners—that the first basic tool of economic renewal of the north will not be at the paternalistic discretion of a southern Ontario government, but in the hands of northerners themselves. It is the only way that the objective of the Premier (Mr. Peterson), of giving northerners the responsibility for developing their economy, can be achieved. We have got to give them the tools to do the job.

Let me turn to the planning agreements. Obviously, these are easier to develop when an industry first starts or moves into an area. Let me assure all members that I see this as a true partnership of all of the parties involved. Let us take the rich gold fields at Hemlo as an example. Those fields are so rich and so profitable that it is almost unbelievable. They are the richest gold fields in the entire world.

What return does the province or the community get from this God-given wealth? What guarantees do we have that the community, the citizens and the workers in the mines, living in Marathon, Manitouwadge and White River, will benefit not only now, but 25 years or 50 years from now, from these, the richest gold deposits in the world?

At present, we are doing nothing differently to what we have done for the last 100 years. With the present situation, the present tax structure and the present economic structure, we have no guarantee there will be a future for those communities in 25 or 50 years.

However, with the planning agreements I am proposing now, which have been suggested in the past by the so-called Rosehart report, we could expect a good deal of benefit. There is no reason in the world why this four-cornered partnership, of the provincial government, the local communities, the companies and the workers, cannot work.

Bo Eckmann, senior vice-president of Volvo in Sweden, indicated at the recent Premier's conference in Sault Ste. Marie that co-operation and planning can work. The province, the communities and the workers have a right to know what the companies' plans are year by year, well in advance of any growth or proposed contraction or shutdown. On the other hand, the companies have a right to know what government policies will be well in advance and what kind of work force they can expect in the future.

More important, the minute a new resource enterprise begins, be it mining or forestry, joint planning agreements would give northerners and single-industry towns a mechanism for diversifying the economies of their communities from the beginning of the exploitation of the original resource. These agreements would help avoid the boom-and-bust cycles that these towns have traditionally experienced. This is one of the best ways for us to get value-added, manufacturing and spinoff industries associated with our resource industries. It helps to build, as the Premier wants, on the strengths we already have in the north, our resource industries.

In recent months, the Premier has encountered the reality of the two economies of northern Ontario and southern Ontario. He has told northerners in Terrace Bay, Longlac, Geraldton, Wawa and Sault Ste. Marie that they must go it alone, that they must find solutions themselves. All I am saying on behalf of northerners is that this government should not send us into battle as unarmed men and women. It should give us the tools to rebuild the northern economy.

I have said on a previous occasion in this House that about two years ago I came to the heartbreaking realization that my own two sons, aged 12 and 13 years, would in all probability have to seek their fortunes, their futures, their jobs and their ideals outside northwestern Ontario, the area I have tried to represent and tried to fight for during the past 15 years. I plan to spend all of my political life doing my damndest to ensure that not merely my sons but also the sons and daughters of all northerners at least have the option of fulfilling their dreams, their hopes and their ambitions in the land I love, in the land which I have spent my entire political life trying to represent, trying to get for it some measure of social and economic justice.

Inside or outside of politics, whatever the future holds, I will not rest, the New Democratic Party will not rest and I hope the Legislature will not rest until northern Ontario takes its rightful place in the mainstream of Ontario's economic

life. One small but significant step would be the passage of this resolution by this Legislature today.

The Deputy Speaker: The member is reserving five minutes and 45 seconds.

Mr. McGuigan: I am pleased to join the debate this morning. I want to begin by congratulating the member on his resolution and for bringing a focus at this time on developments in northern Ontario. It comes at a proper time after the Conference on Northern Competitiveness, which was held earlier this week.

We in this party support the objectives of the resolution. We appreciate the strength, emotion and commitment the member for Port Arthur (Mr. Foulds) brings to this resolution. I appreciate the statement that he is going to work and do his best in his time in this great chamber to bring to northern people the advantages that by comparison appear to be here in southern Ontario.

10:20

I have to say we are not in agreement with a specific fund because a fund has a lot of apparent advantages, as the member has pointed out, although it also has a lot of disadvantages. Compare our system in Ontario, where we have a consolidated revenue fund, with the system in the United States, where they have a great variety of funds. It is a great cop-out for political people to say, "We cannot do anything at the present time because that particular fund is empty." It may be that another fund is overflowing, but with that system they cannot reach over into that other fund for the moneys.

I guess the most glaring example in the United States was the highway fund, which was established at a time when the automotive business was really taking over. Everybody had a car and funds flowed into the highway fund to the point that the amount of money it had was a disgrace. In the meantime, railroads withered on the vine because no funds were available for them.

Mr. Wildman: Look at the Swedish example and not the American one.

Mr. McGuigan: We can look at many examples, but this one is certainly well known to people here in Ontario. We know what happens over there. I heard a statement at a US conference that said if you were riding on an American railroad and it suddenly became smooth you knew then that you were off the track.

Mr. Pouliot: Let us be positive. Give us a chance.

Mr. McGuigan: The government is going to be positive. It is going to put money into the north, and lots of it, but we want the flexibility to be able to put in that money irrespective of where it is generated. The money being generated today in Ontario is from manufacturing, and I say this very sadly from my perspective as a farmer and as a representative of a rural riding in southern Ontario. Unfortunately, the future relies too much on manufacturing.

I was saddened while attending a conference a year ago. A director from the economics department of the federal Department of Agriculture pointed out that in the development of a country the savings going into the banking system to provide the capital to make the whole system work come from agriculture in the beginning. The money also comes from resources. The money to provide the banks, insurance companies, the huge buildings we see here in Toronto—the infrastructure: highways, canals and so on—came from farm families and resource industry families.

Mr. Pouliot: And from the Vancouver exchange to develop Hemlo.

Mr. McGuigan: Unfortunately, that was true; but not under our regime.

That is where the money came from. Dr. Hedley, who was the director, said it has now shifted to manufacturing. One would say political power is going to shift there too and that segment is going to run the show. This Liberal government has determined it is going to use the moneys from manufacturing or whatever source to try to bring about a balance in this great province.

They have not done that in the United States. They have not brought about a balance. They have fantastic imbalances in that economy. In this province, we are determined we will not have those imbalances. We will put the money in those sectors where it is required, where with government help and their own initiative it should work. We are going to bring balance to this great province.

I was at a meeting yesterday on the future of agriculture in Ontario. It was really a repetition of the future in northern Ontario, because—

Mr. Wildman: There was nothing about agriculture at the northern meeting.

Mr. McGuigan: It was not in your policy paper either, I noticed.

Mr. Wildman: True. We had a policy paper.

Mr. McGuigan: But you did not have agriculture in it. That is noted, I am sure, by the agriculturists of the north.

Mr. Wildman: We did have tourism in it, though. You guys did not.

Mr. McGuigan: You are taking up my time. I want to point out the similarity between the two programs. We are in a world of tremendous change. In spite of all the planning we try to do—we are going to have these five-year plans and 10-year plans and this is the route we are going to take—the rest of the world does not care a darn about our plans. New developments come along, new technology comes along and it is coming at such a fantastic rate, and so often in so many fields, that planning really can put you in a bind and on the wrong track. What we have to have to succeed is some pragmatism, the ability to move quickly and the will to move quickly.

This government has that will. I know we disagree on the ways we might bring it about, but it has the will to meet the immediate challenges and to take advantage of those things that open up. There are many things we can do.

I can sympathize when I hear them talk in the north about trucking. I used to try to truck my apples from southern Ontario to Winnipeg over the same route. I found that in Winnipeg there was all sorts of grain that had to come back to Ontario; but I could not bring back grain, so I had to bring an empty truck back. Eventually, we had to give up the venture, because one cannot run trucks empty on those long trips. I would like to ship apples into northern Ontario, but I cannot bring back paper or whatever they have.

These things should be opened up. I hope they will be opened up, because it just seems silly that we tie ourselves to the old ways of doing business that simply do not work today. From my standpoint, and I am not the Minister of Transportation and Communications—

Mr. Foulds: He is right behind you.

Mr. McGuigan: I am sure he is listening.

Mr. Pouliot: That man knows all about the regulations.

Mr. McGuigan: I certainly recommend to him, to the member opposite and to the House that we make changes; not to put the business completely on its own because I know enough about trucking to know what happens. I finally quit putting loads on because one man, I discovered later, drove for 48 hours. I said, "I just have to get out of that kind of business; I want nothing to do with it." I stopped shipping my products long distance. We have to have some regulations, but at the same time we have to adapt and make them as open as we can to meet the challenges of today.

In conclusion, we commend the member and we agree with his objectives. We are going to try to work with him and with all northerners to achieve that objective. We do not really see a fund, because in many ways that fund could be an excuse for doing nothing; it could be too limiting. This government is committed to doing things for the north and for the south.

Mr. Bernier: I rise in support of this resolution. I do want to commend the member for Port Arthur for bringing it forward at this time. I rise in support of the principle of the resolution, but I have some difficulty with the specifics of the resolution itself. I will get into that as I continue my comments.

10:30

Let me again commend the member for bringing it forward at this time. As a northerner, I think any focus we can attract to the problems of northern Ontario is very meaningful and very timely. This is a topic that has been tossed around this Legislature for the past few days, particularly since the Premier has indicated some interest in the problems of northern Ontario by focusing on the economic problems at a conference in Sault Ste. Marie. I hope the government will give heed to the results of this debate and very carefully go over the comments made by the various members involved.

There are many reports on northern Ontario, but in my opening remarks I should put on the record one of the recommendations made in the Rosehart report, which reads as follows:

"It is the opinion of the committee that at this most uncertain time in terms of where the north is going that a major political and public commitment by the people of Ontario is necessary to support government policies that will treat the north in a different way than the rest of Ontario."

That speaks well of how northerners feel with respect to their economic problems and the way they are treated by the rest of the province.

I do not have to spell out the number of reports we have had in northern Ontario. The member for Port Arthur has mentioned some of them. The Royal Commission on the Northern Environment, the Rosehart report on single-industry communities, the Stokes report on air travel in northern Ontario and The Atikokan Story, which he forgot; all are reports that carry recommendations on what we should be doing about the problems in northern Ontario. There are more than 300 recommendations in those various reports.

The point I am trying to make is that we do not want more studies. The studies are behind us. We

can go through any one of those reports and get the recommendations we need that will in time rectify the problems we have in northern Ontario.

I do not have to reiterate the problems we have in northern Ontario. It is fair to say, as other members have said, we are not enjoying the economic upturn that has occurred in southern Ontario. I get very upset when I turn on the national news and hear economists relating the economic conditions or the upturns in Canada as a whole. Then they go across this nation. They start by mentioning how bad things are in Newfoundland. They go to the Maritimes, come to Quebec and then lump Ontario together as a whole. They talk about the six per cent unemployment in Ontario. Then they go to Manitoba and talk about how that province is doing, then Saskatchewan, right on across to British Columbia. The point I disagree with is the way they lump all the economic information into one parcel.

We are different. Ninety per cent of the land mass is north of the French River, but we have only about nine per cent of the population; we are different. Our unemployment up there is well over 13 per cent. In fact, in Sault Ste. Marie I think it is in the 20 per cent bracket. The point is that we are different and we should be treated differently.

We are, I might say, like the Maritimes. We are an example of regional disparity; there is just no question about that. I had the pleasure of being with the Minister of Finance and with the Deputy Prime Minister recently in Sudbury, and I made the point that in its regional programs to bring equality across this nation the federal government never looks at northern Ontario as a separate unit. It lumps it with the rest of the province. We should be treated like the Manitobas, like the Newfoundlands and like the Maritime provinces. It is on that basis that they should recognize the special needs of northern Ontario.

In the past 18 months—and I am not saying this because of the change of government—some very disastrous happenings have occurred in northern Ontario. To recite a few: at the Griffith mine at Ear Falls, 325 jobs are lost; at the Great Lakes waferboard plant, Thunder Bay, 60 to 70 jobs are lost; the pulp mill and the stud mill at Terrace Bay are in jeopardy. We know what happened at Sault Ste. Marie. The iron ore mine at Wawa is now in jeopardy. The list, which causes us who live there more concern each day, goes on and on.

The point I am trying to make is that the basic economy of northern Ontario is resource-

oriented. We all know that, but it is very fragile. We are at the mercy, at the command of international markets. Outside jurisdictions really control how things move with the resources of northern Ontario. It is out of our control with respect to the markets and the products we produce for international sale.

We are unique. We have special problems and, as I said before, we cannot lump them into one basic strategy for all Ontario. When we look back to our own experiences when we were in government, we established the Ministry of Northern Affairs. That was a major step forward. It was the first regional ministry in this province's history. It dealt directly with the affairs and the problems of northern Ontario.

The member for Port Arthur mentioned some very successful programs: the northern Ontario regional development program, which the present government has continued, has increased and expanded upon; the EduCap program, which saw funds going into the school systems of northern Ontario, and the EldCap program that saw senior citizens' units attached to northern Ontario hospitals.

All these programs designed for northern Ontario in that ministry were designed by northerners and they were administered by northerners, because 70 per cent of the staff of that ministry were located in northern Ontario. They responded in a very special way. The applications were simple and our turnaround time was six to eight weeks. That is very important to those people in northern Ontario.

I cannot stress too strongly the successes we have had on an ad hoc basis. We can refer to the problems of Sudbury when we reacted to the problems of that community with funds for the 2001 project—\$600,000 over a three-year period. We moved on the goat project. Members all remember the goat project in Sudbury. That was a local initiative. They wanted to establish goats in the Sudbury basin. It was not successful; but the local people had their ideas and they wanted to try it, so we funded it. Right through the whole system—we see Atikokan and Pickle Lake—there are all kinds of examples across the north where the government of the day moved in an expeditious way to respond to those particular needs.

Getting back to the resolution itself, we certainly support the idea of a northern development fund. We think it should be within the Ministry of Northern Development and Mines. A minister of this government, or any government that is in power, should have direct responsibility

for that fund. The establishment of that regional ministry, which is located mainly in northern Ontario, provided the sensitivity to be able to respond to the urgent and unique needs of those communities that may be suffering because of resource extraction declining and coming to an end.

The fund itself should not be a tax on the resources that are coming out of northern Ontario. We think that would be a mistake because it may put those resource companies in a very uncompetitive position. We must remain competitive in a world situation. We contribute to the economic life of this province with the resources that come out of northern Ontario. The province as a whole should put funds into that special fund that would be earmarked to a special line in the Ministry of Northern Development and Mines, where we, as northern members, could watch over that fund to see how it is administered in the best interests of northern Ontario.

10:40

Mr. Wildman: I rise to participate in this debate because I think it is timely, not only because there was a conference in Sault Ste. Marie dealing with northern competitiveness at the beginning of the week, at which our caucus presented a positive 10-point program that included the two proposals made in the resolution by the member for Port Arthur, but also because we are facing a terrible economic crisis in northern Ontario, one that must be responded to in a positive way by government.

It is almost a cliché to say that as soon as a mine opens in northern Ontario, or anywhere in the world, it is beginning to close. As soon as you put the first shovel in the ground, you are depleting the resource and eventually it will run out. That is why it is so important for us all to recognize the need for planning so the community that grows up around the mining operation will have a future as that resource is depleted.

Thus, I was very disappointed to hear the member for Kent-Elgin (Mr. McGuigan), a man for whom I have a great deal of respect—and I appreciate the fact that he attended the conference in Sault Ste. Marie as someone from southern Ontario interested in the concerns of the north—say, first, that he did not think planning was a way to go; plans did not make much difference because circumstances change. Obviously, circumstances do change and any planning must be flexible, but that does not mean we should not have planning.

I was also disappointed to hear him speak, apparently on behalf of the Treasurer (Mr. Nixon), against the idea of a specific fund. It is certainly well known in this House that the Treasurer and the officials in his ministry are not in favour of doing anything that would take away from the consolidated revenue fund. That is oldtime thinking, it is inflexible thinking and it is the kind of thinking that has left northern Ontario in the economic state it is in now.

To suggest we should not have a specific fund because it might run out some time just indicates why we need to have planning. Obviously, we do not want a fund that is going to run out. We want a fund that is going to be self-sustaining and ongoing.

The member looked at the situation in the United States. I know that when he was at the conference in Sault Ste. Marie he heard the gentleman from Volvo, Bo Eckmann, who is hardly a social democrat, speak about the experience in Sweden. It was very interesting and very important. He talked about many different aspects in Sweden, but the main thing he talked about was the attempt to work together, through planning, to deal with economic problems; he identified a number of types of funds in Sweden that have worked to assist to stimulate growth and investment in the northern part of that country.

Sweden is a country that is very similar to ours in many ways. It has an economy that in the north is based on resources and in the south is based heavily on manufacturing. It has a population about the same size as ours; the topography, the geography and the climate are very similar to those of our province. Obviously, there are cultural differences and historical differences. We cannot transplant their experiences here, but we can learn from them.

In my community, the area I represent, we face a tremendous threat. Algoma Steel Corp. made an announcement last spring that there would be a layoff of 12,000 people. Specifically, that affects the Algoma Ore division in Wawa, where 175 people have been laid off and where there is the threat that the whole operation will shut down because of costs.

The Algoma Ore division is a very productive mine. It is one of the most productive underground mining operations in the world, and certainly in North America. Unfortunately, it is competing against open-pit operations and Third World operations; it is not competing against other underground mines and that makes it very difficult.

That is why I thought it was important for us to have the conference that was held in Sault Ste. Marie, and it is why I was so disappointed that the government and the Premier had absolutely nothing to offer at that time. In essence, what the Premier said at the conference was that we need entrepreneurship. He was telling northerners they have to pull themselves up by their own bootstraps.

None of us in this House, certainly not the northern members, would debate that northerners are very resourceful and skilful people, and given the resources—the financial resources—and the infrastructure, they can make our economy recover. But they cannot do it completely by themselves. To say, “You must pull yourselves up by your own bootstraps,” ignores the fact that if the Algoma Ore division shuts down a community such as Wawa does not have any boots.

Mr. McGuigan: He did not say that.

Mr. Wildman: He said: “Do it on your own. Do not blame others.”

That conference completely ignored the countervailing duty on lumber; it did not even mention it. It indicated we have problems in the global economy but did not deal with the immediate problem of an unemployment rate that is twice the provincial average. It made no positive proposals. The only positive proposals came from the floor and from the New Democratic Party. Nothing was presented by the government. As a matter of fact, nobody from the government was at the podium except to introduce and thank speakers.

Mr. McGuigan: We want northerners to do it.

Mr. Wildman: That is exactly what we are talking about. The member says, “We want northerners to do it.” Northerners can do it, and northerners have made suggestions as to what should be done, but they need the will of the government to provide the financial resources to make it possible for them to do it.

In the resolution there is mention of a number of studies that have been done in northern Ontario. I participated in one of these, the so-called Rosehart committee, and we made a number of recommendations. The two recommendations in this resolution were among the recommendations made by the Advisory Committee on Resource Dependent Communities in Northern Ontario.

In response to that report, the government has said a number of times—the Premier said it yesterday—that we already have a northern Ontario fund. We have a so-called northern

Ontario fund of \$100 million available over five years; that is \$20 million a year for the whole of northern Ontario. Do the members realize the layoff of 1,200 men at Algoma Steel Corp. takes a total of \$45 million per year in payroll out of the economy of Sault Ste. Marie and Algoma district? That is \$45 million a year out of the economy in one community, and we have \$20 million a year for the whole of northern Ontario from this government. It is a pittance.

This is not the Norland fund from Sweden. It is not an attempt to provide financial resources that northerners can control and direct for investment in the north to help to diversify and stimulate the economy in northern Ontario, to diversify one-industry towns such as Sault Ste. Marie and Wawa. It is a continuation of the kind of ad hoc dropping of money and dropping of programs here and there in northern Ontario that we had from the Conservative government for years in this province.

It does not work. It does not work to leave it to that kind of fund on the part of the government. It does not work if one does not have planning. It certainly does not work if it is all left to the private sector, because the private sector is the system that has got us into the situation we are in now. If we are to continue as we always have, we will not have change.

The member for Port Arthur has proposed a resolution with positive suggestions for planning and for financial resources to make it possible to begin the recovery of the economy in northern Ontario. I wish we could learn from the mining town of Kiruna in northern Sweden and apply that to Wawa, Ear Falls or Atikokan. I wish we could develop a Kiruna Truck in northern Ontario that would provide mining equipment for the world market. I wish we could develop the kinds of space centres and the kinds of geological mapping they have in northern Sweden, instead of having government contract it out to southern Ontario consultants, as it contracted the whole conference to a southern Ontario consultant.

We have had enough made-in-Toronto solutions for the north and enough made-in-Toronto consultants' studies. We need the political will on the part of the government to implement this resolution. If the Premier is serious about trying to resolve the problems in the north, the first step he can take is to have his caucus vote for this resolution on the floor of the Legislature and then have his cabinet implement it as soon as possible.

10:50

Mr. Ramsay: I wish I had more time this morning, because it is a very serious resolution

that is before this House. Like the member for Kenora (Mr. Bernier), I believe in the principle of this resolution. I am a little disappointed in the member for Algoma (Mr. Wildman), who spoke in contrary terms, and I wish I had more time to debate with him. He first asks that the Premier come up and solve the problems with a made-in-Toronto solution and then on the other hand criticizes the past government, saying that we should not have made-in-Toronto solutions and that the past government was at fault because it used Band-Aids and threw money at problems. We cannot have it both ways.

This resolution does address the problems of the north and the principle is sound.

Mr. Foulds: We want it only one way.

Mr. Ramsay: I wish the member for Port Arthur had been around 70 years ago, because this resolution should have been passed by this House 70 years ago, when that wealth was extracted from northern Ontario. Now, most of the wealth is gone. Millions and billions of dollars of silver and gold were taken 70 years ago, when the Cobalts were starting, and 60 years ago, when the Kirkland Lakes were starting. That angers people.

The government's response to that anger is the northern Ontario development fund. The people of the north feel they have been left with a hole in the ground; those resources having been extracted and they are angry. But to take a portion of the taxes coming from the resources is the wrong answer, because the taxes are not there. We have company after company coming to us for tax breaks. The revenues are not there. The resources are depleting.

I see that \$100 million and more, which is to come as an answer to that problem and which is to come out of the general fund, as money owed from the past, money we should have taken by means of a resolution such as this years ago. We deserve that in the north, and that is what this is a response to. It is a serious problem, and we are starting to address it.

There are many points in this resolution. One of the key issues is management by northerners. With our economic development councils we are starting to be the generator of ideas on how that money is to be spent. The member is right. The ideas should not be coming from people in Toronto; they should be coming from northerners. Those economic development councils are a good cross-section of people in our community, especially in mine. We have a representative of the steelworkers' union, mayors, people in business and many other municipal people. They

are the people on the ground, the grass roots. They are people in the towns, people in the unions and people who work in the companies in our area. We are getting that input. The councils were a little slow getting started, but now they are going. These people are enthusiastic, these are the people the Premier will be listening to and these are the people who are going to be coming up with the ideas.

We have some money in place. By the way, the member for Algoma said there was only \$20 million a year out of the \$100 million. The Premier said in Sault Ste. Marie on July 6 that in the second year it would be accelerated to \$35 million. The pressure is there. The Premier knows the problem. The pressure is there from me, and from the member for Cochrane North (Mr. Fontaine), to accelerate that fund and put more money into it. That is what we are going to do, because the problem has to be addressed.

I feel it is very important that we do not apply Band-Aids to the problems of the north. Not only do the solutions have to come, but they have to be lasting solutions, they cannot be temporary. We have to start to encourage and to act as cheerleaders, if you will, to get the mentality of the people of the north turned around. I have always felt in our area that many of the people in my constituency have felt like losers because they have felt exploited. That attitude is starting to turn around now. We are starting to have confidence in ourselves that we can do it ourselves. The ideas have to come from us. They cannot be applied from somewhere else. They have to be based on what we have and on who we are. That is what we are going to do and that is what we are starting to do.

It is coming. We are doing it now and it is building. It is necessary to keep the pressure on. Members should keep us honest, because we need that, and that is what the people in my constituency are doing. We are going to work together. Let us not quibble over exactly how we get the money to the fund; the money is there. Let us get together and decide with the people of the north how we are going to invest the money in the north for the future, for jobs for our people and the people to come.

Mr. Foulds: I thank all members for their contributions, but I want to say as clearly as I can that we in the north have been studied, analysed and scrutinized to death. If we keep on doing that analysis, that scrutiny and that studying, the north will die. I say that not in a sense of doom and gloom, not in a sense of despair, but because that is the economic reality.

I for one, without any false sense of boosterism, without any false sense that says, "Let us rah-rah our way into the confidence of the 20th century," believe the north will survive, will develop, will grow and will be there 100 years from now; but it will only be there, it will only survive, it will only grow, if we stop having this colonial mentality from the government and from parties based in this Legislature.

The reason I say the fund must be managed by northerners is the very reason the Liberals are giving us. We cannot have made-in-Toronto solutions; we cannot have made-in-Toronto attitudes. What we must have is power to the people of northern Ontario.

I want to say directly for the member for Timiskaming (Mr. Ramsay) that it is not too late. Do not despair, my friend. In excess of \$15 billion of wealth is being extracted from the north annually, every year and even today. That is not the New Democratic Party's figure. It is not something we have conjured up out of the air. That was researched in detail by the Rosehart committee, which the Premier is endorsing and backing so much in the person of Bob Rosehart.

If in excess of \$15 billion a year in wealth is being generated in northern Ontario does it not make sense to put a portion of that back into the north? I say to my friend the member for Timiskaming, let us take some money out of the consolidated revenue fund, which we have subsidized and added to for the past 100 years. Let us take the other six steps I suggested to create that fund. Let us also, to give the northerners the tools, do the planning agreements.

The riding of my friend and colleague the member for Lake Nipigon (Mr. Pouliot) and the ridings of my friends the member for Kenora and the member for Timiskaming could probably benefit from the planning agreements. Any new development that starts now, if we get in on the ground floor and plan, not only the money but also the economic, social, medical and educational futures of that community from the ground floor, we can do in this way.

We can do it creatively, we can do it now and we can do it so secondary industry and other enterprises, commercial and otherwise, can be developed in those communities and so those communities can live and thrive, and our children and their children can be there after the mines are gone and after the forests are cut. It is not enough—and I say this with all seriousness to all members of this House—to say we support the principle.

I regret that the Premier is not here. He said the New Democratic Party produced a skinny little, 10-point program. That is better than the zero-point program he is producing. We produced not only that 10-point program but also, for every one of those points, documents to back it up. We are not saying they are magic solutions. We are not saying all of them will work perfectly. We are saying in this resolution that the government should give us the opportunity to prove we can do it with two of these economic tools. Give us the strength, give us the weapons, give us the tools to build our economy, because it is important, not merely for the north, not merely for one region of this province, but for this entire province. I point out that six out of the 10 jobs associated with the forest industry, directly and indirectly, are in southern Ontario, not in northern Ontario.

The economy of this province, the future of this province and the future of the people of this province are dependent on the wellbeing of the north's economy. We plead not merely for our children, not merely for our future but for the future of the whole province and the future of whole generations to come.

The Acting Speaker (Mr. Morin): This ends the debate on ballot item 23.

11:00

REMUNERATION OF TRUSTEES AND COUNCILLORS

Mr. Callahan moved resolution 37:

That, in the opinion of this House, as the public does not understand the method of establishing levels of remuneration of boards of education and municipal councils and as there is no consistent principle province-wide, the Education Act and the Municipal Act should be amended so that any increase in honorarium to a board of education or municipal council may be made only once in a term of such board or council and within 60 days of the date on which an election is to be held.

The Acting Speaker: The honourable member has up to 20 minutes for his presentation, and he may reserve any portion of it for the windup.

Mr. Callahan: At the outset, let me assure members of the House that this is not an effort to interfere with local autonomy. The purpose of this bill is to elevate the image of municipal councils in the eyes of the electorate.

As members are aware, municipal councils are currently entitled to set their own honorarium as they consider to be appropriate, and it is appropriate that they be entitled to do that. They

are the locally elected representatives. They are the form of government closest to the people.

However, I suggest that without some change as proposed in this bill or in a vein similar to what is proposed in this bill, the electorate voting at municipal elections is going to continue to be somewhat apathetic. The reason people may be apathetic is that they see councils throughout this province hoisting their fees or their honorariums by large percentages. The newspaper reports on this are legion. A municipality raises its honorariums by 61 per cent, 24 per cent, 34 per cent, and the people do not understand that. They do not understand the background or the basis for those increases.

I am not suggesting taking away the right that exists for local representatives to set their own honorarium. I am saying there should be a mechanism that will allow it to be done in advance of an election and thereby allow the voters to question the members who are running for re-election. It allows the people who are running for the first time in an election an opportunity to be questioned on the logic behind that raise.

I suggest it would help municipal politicians in that, if they have perhaps arrived at that increase through the use of a private group of citizens who review the salary and determine whether it is appropriate, they would be able to go out to the public with their heads held high and defend it. I suggest this would increase the turnout at municipal elections. It would satisfy the electorate in that it would have the politicians saying up front what the honorarium for the next council would be.

Unfortunately, it works both ways. It works against the elected officials because, if they are politically shy to raise their honorarium by the appropriate amount, they are always playing catch-up. This becomes very difficult and results in blazing headlines, such as "Council Raises its Honorarium by 50 per cent," or 60 per cent or 70 per cent. The public does not understand that. It also results in a council waiting until after the election, which occurred in my own riding. A week or so after they had been installed in office, they raised their honorarium by 40 per cent. It may well be that the members of council in my own riding were entitled to that 40 per cent, but a perception is created by its being done at that stage of the game.

As well, I am suggesting that if the legislation was to be amended to simply provide something along the lines of what my bill proposes, it would encourage municipalities to bring in private

citizens' groups to look at the question of how hard a municipal councillor works to arrive at an appropriate increase. If that increase happened to be 40 per cent, so be it. What happens is we are treating the municipal councillors fairly in that we are providing them with an honorarium that reflects the nature of the time they spend in their job and the seriousness of the issues with which they deal. I think the public will accept that; but when you leave it the way it is, it usually happens in a way that makes the public very cynical as to how the elected representatives at the local level are operating. That is very wrong.

This issue strikes at the heart of the question of making certain that our democratic system is viewed by all people as being fair and above board. By that, I am not suggesting there is anything below board but the perception of democratic justice has to be apparent as well as actual.

I want to go back into the history of this legislation because I think it is of some importance. Under the pre-1968 Municipal Act, municipal councils did not have the right to set their honorarium. It was fixed subsequently, I believe as a result of a resolution from Toronto council in 1966 and 1967 that drew to the attention of the provincial government at that time that the honorariums did not reflect, in an appropriate fashion, the increased responsibilities of the members of that council and that it should be reviewed.

In 1967, the then Minister of Municipal Affairs, Wilfrid Spooner, established a committee of seven individuals who did a rather deep insight into the whole difficulty. They made recommendations to the provincial government of the day that a maximum should be retained but it should be increased, and that the increase should be related to the populations of municipalities and the responsibilities of those councillors.

The bill came before the provincial Legislature. At that time, the minister was Darcy McKeough. According to the records I have, the bill passed through this House very quickly; in fact, far more quickly than anything passing through this House these days. I suppose in those days they had a majority. In any event, what happened, in effect, was that municipalities were given the right to determine their own honorariums.

Once again I have underlined the fact that I am not saying this provincial government should interfere in any way with that, because that is the responsibility of those who are elected and who are accountable to the electorate. I am simply

saying there should be a revision of the appropriate legislation to let the public realize that the determination of these salaries is made some time prior to them going to the polls.

One can say that is an interference in itself, but this Legislature had the wisdom to do that to the school boards. I must apologize; in my notice of motion I refer to school boards as well. That was inappropriate, because there was legislation in 1982 that stated trustees currently sitting on the board of education in any municipality can set their honorarium but it does not take effect until after the election and in a new term.

11:10

I hope that creates for the public an image that would also apply to municipalities by the members here agreeing to my motion with reference to municipalities. Once that honorarium was set, the only power the school board would have when the election was completed would be to decrease the amount; it would have no power whatsoever to increase it.

Many of us come from the municipal arena. We have run for elections and voted for pay raises for ourselves. When it comes down to the question of voting for a pay raise, I suppose all of us feel very sheepish. We should not feel sheepish. If we, as municipal representatives, ask for an honorarium that is appropriate to the constituency we serve and the work we do, whether it is full-time or part-time, we should not be ashamed at all. I am sure the public in its wisdom would, in fairness, accept that. However, I submit that the present situation and the present state of the law has not allowed that to happen.

I wonder about the turnout at municipal elections. The two I checked into in my riding were 16 per cent and 17 per cent. I wonder whether that is a direct reflection of the fact that the public sees these things happening. They say, "We have no control over it, so why should we go out and vote?" Perhaps it would enhance the electoral process. People would come out and question the people standing for re-election and the people espousing the position itself.

In addition, the people who run for office would know in advance exactly what they were running for. In that respect, this would create an aura of fairness because municipal councillors would get the money they were entitled to. It would also be fair to the perception of the public that they do not try to play games immediately upon being elected.

I will give an example. While I was serving on the Brampton council in my riding, a citizens'

group came forward and spent a considerable amount of time looking into the question of our remuneration. They spoke to each councillor individually to determine how many hours he put in. The situation was very expansive. It took them a week or two to interview all the councillors. These were people from the public who were getting nothing for doing this, but they were responsible citizens.

They determined that the members of Brampton council were entitled to a 25 per cent increase because they had fallen behind in years past. The net result was that the council voted itself a six or seven per cent increase. The reason it did that was because of the political pressure they felt there would be in coming forward with a 25 per cent increase and then having to go to the electorate to justify it. They would have had every entitlement to go to the public because it had been determined by a private group.

If this were enshrined in legislation and if the public were made aware these decisions had to be made beforehand, local representatives would not have this difficulty of worrying about the political effect of coming up with an increase. However, it is not enshrined there.

One of the people who served on that committee, whom I know very well, came to me after our council had made the decision to increase the stipend by seven per cent and said: "Why did you waste our time? Why did you have us go to all this trouble and then make that decision?" I had to agree with him. A 25 per cent increase—I am not sure of the exact figure—was found just and proper by that citizens' group at that time and the council of the day took seven per cent. The effect of this is quite obvious. If we perpetuate this, if we snowball this, we constantly get behind. At some point, it requires a catch-up. When that catch-up takes place, it gives a black eye, not just to municipal councils but also to every politician in this province and in this country.

If the democratic system is to survive, is to be vibrant and is not to be treated with cynicism by the voters, we have to take every step in a legislative fashion to ensure not only that the system actually is fair but also that it is perceived to be fair by the electorate.

That is all I have to say at the moment on this issue. I would like to reserve the balance of my time to respond to my colleagues.

The Deputy Speaker: The member is reserving six minutes and 30 seconds.

Mr. Davis: First of all, I believe the member for Brampton (Mr. Callahan) should apologize to

the House for his inaccuracies, for not doing his homework and for placing before us a motion in which he indicates that it should be applicable to the education system in this province when it has been since 1982. A person who wants to bring a resolution to this House should have his homework well in hand. Perhaps our colleague would like to go back to grade school and learn how to do his homework.

My colleague indicates that the public would more appropriately understand such a situation if they were aware of the salary increases that a municipal council was going to implement after it was elected. Before I comment on that, I will suggest to my colleague that perhaps he would like to amend his motion to include members of provincial parliament, so that 60 days prior to an election the government would indicate to the people of this province what it intends to pay its members; that would be more fair to the municipal councillors of this province.

I would point out to my learned colleague that in 1982, when the Education Act was revised by the government of the day, which happened to be the Progressive Conservative Party, the revision was such that a board of education had to indicate prior to the next election the salary increases that would occur during the next three years.

My colleague should check the records of 1982 and 1985 and he will find that giving this information to the public prior to an election did not increase the number of people who came out to vote. In fact, no trustee in this province, to my knowledge, lost his seat because of the increases that occurred, and in 1982 in Metropolitan Toronto those increases ranged anywhere from 60 per cent to more than 135 per cent.

What did happen, as could happen in this case, is that in one particular board in this province a large number of trustees were not running. They were of the conviction that trustees were adequately paid, and therefore they made a motion that there would be no increment resulting in the forthcoming three years. The individuals who were elected to that board had no power under the Education Act to overthrow that; they could only reduce the fees set and therefore they were penalized by the outgoing trustees on that board. That is unjust and it thwarts the democratic process.

My learned colleague suggests that local municipal councils could be required to create a citizens' group to suggest to them what the wages should be. He must be aware that such a committee already exists in Scarborough and in the city of Toronto. Each council takes a look at

that recommendation and in many instances implements it.

It is interesting that he would like to implement that kind of format in this province when we have it here in the House. It is part of our parliamentary process, I understand, that a nonpartisan body recommends yearly to this House the kinds of increases we should see as members. It is interesting to note that the Treasurer (Mr. Nixon) ignores its suggestions and recommends instead a 3.9 per cent increase, basing it on the fact that it is a democratic process of the government to make those determinations.

I suggest most strongly that it is a democratic process and the prime responsibility of municipal councillors to set their own salary structures. I suggest also that if the electorate is unhappy with the kinds of salary settlements that the councillors initiate, it has the option, which is the option of the people of Brampton, to terminate that alderman or the member because of that action. My learned colleague suggests they should set it for three years. Let us look at what happens.

11:20

Let us assume councillors are making \$25,000 a year, which is not unusual for the kind of work load they are now carrying, and let us assume they use only the inflation rate of four per cent. What they do is front-load. They take the three increments, fold in the necessary increments that would occur and wind up with \$3,000 or \$3,125, which they add to their salaries; so they start with a base salary of roughly \$28,125, rather than a base salary of \$25,000. The public is therefore already behind, because it is paying out additional salaries that would not normally kick in until the second or third year, as indicated in the Education Act.

I find it appalling that this government continually puts its fingers into every aspect of our society. We now have the learned member suggesting, without consultation with any of the municipal councils, to my knowledge, that we should determine by an act of legislation that henceforth municipal members will have to set their salaries 60 days prior to an election. He bases that premise on the fact that people will take more interest in the democratic electoral process. That just does not bear out in fact.

Had he taken the time to do his homework, he probably would not have mentioned this legislation. He should have checked what happens in the education area in elections. There is no great turnover. In fact, as I stated before, trustees were not thrown out because they set their salaries

beforehand. This matter should have been left to the resolution of the members of council.

I find that the democratic process is fair. I do not hear people crying out, as my learned colleague suggests they are, in revolution against councils that set their salaries. I assume most councils act with decency and honour as they establish their own salary rates for the work they are doing. Certainly, each council has the ability to set it in the determination of its own jurisdiction. One knows a council member in Wawa does not make \$40,000, because his work load may not be the same as the work load of the council member in Brampton, for example.

It is very interesting to note that the process my learned colleague wants to introduce is a process that is used in this House and ignored, and I suggest to him it would be ignored by the councils of this province. I also suggest it will not increase participation among the electorate of this province and that the present system is working well.

Somewhere, somehow, I remember someone saying—I believe it was the present government—that if things are working well, why monkey with them and change them? It is apparent that this new government, which was not even elected to be on the other side of this House but somehow got there, has now developed the kind of image that demands that it tinker with everything in society, from the affairs of the pharmacists to the doctors, to the municipal councillors, to lawyers. Soon there will be no avenue in society that this government has not put its fingers into to stir up to see whether there is something it can try to make better, when everything is working well.

I certainly will not be supporting this motion at this time. I thank you, Mr. Speaker, for the opportunity to respond to my learned colleague, who has not done his homework again.

Mr. Breagh: I want to participate in this debate today. I will start by saying the resolution does not do a great deal, but it offers an opportunity to get into something that may be one of the hottest little political discussions we can ever get involved in, that is, the salaries of those who serve the public.

I want to make some allowances for the member who sponsored the resolution. First, I should point out to the previous speaker that it is a resolution. It is not a bill and it is not legislation, but a motion of the House expressing an opinion. From that point of view, it offers me the opportunity to be a little kinder to the member than I normally would be. It is not going to be a law that is passed here this morning. It is the

voicing of several opinions, and we should be grateful for that opportunity at the very least.

Second, there are some errors in the resolution. I write it off to the fact that the member who proposed the resolution is a lawyer, and we should not expect anything better from anybody in the legal profession. Unlike the previous speaker, in the kind and loving world I would like to live in, I will forgive the member for being a lawyer and for making errors in his resolution. I am going to support it on the basis of the fact that nothing evil will happen if we do. No law will change tomorrow, but an opinion will have been voiced. We should be grateful for that.

I want to say two or three things about the intent of the resolution, which I think is worth while. The member raises the question of how people on school boards and councils and, indirectly, everybody else who is elected to anything might settle their compensation. I have been in politics for quite a while now, a decade or so, and I could tell him tomorrow who will write a letter to the editor of the Oshawa Times denouncing whatever pay raise is proposed by any politician at any level.

It does not matter to these people whether the raise is two per cent, 20 per cent or 200 per cent; they will sit down tonight in a fearful fit of anger and they will write this. It does not matter how large the amount is and it does not matter who it is; they hate anybody in public office getting paid for their work. They would also be the last people who would ever get out and do any work for the public, but they hate everybody who is elected. There is nothing we can do about that.

I am sure in most of our constituencies we could sit down now and write the letters that would go to the editors tomorrow morning and we could probably pretty closely identify who will send those letters. The amount does not matter. We should recognize that there are some people in our society who do not like us. It would be tough to find a group of people in our society who do not have a counterpart out there. There is always that to deal with.

I believe the government of Ontario tried to set out ranges in the Education Act, but it is very difficult to do. Having observed councils and school boards over the years, some of them do not do a great deal. The staff, the administration or the agency runs the show. That is a shame. It runs against the whole democratic process and is quite wrong.

I could muster a pretty good argument that people on a council or on a school board of that nature do not deserve very much. The problem

with that argument is that we have a democratic society. Theoretically, we say our councils control huge budgets, and they do. Many millions of dollars available to school boards and municipal governments all over Ontario are spent each year. How ironic then that somebody would be expected to take an honorarium of a couple of thousand dollars to sit on a school board. They would not do that in the private sector. That is for sure. Why do we expect that in the public sector?

I do not think we get better elected people locally by paying them more money. I do not think that axiom works out at all. If someone is a competent individual and knows he will be entering into an activity that will have an economic impact on his life, he will think about what the honorarium is. For example, if I am going to be elected to my local council and it means I have to give up my job, I have family responsibilities, I have responsibilities to people to whom I owe money and I have mortgages to pay, so an aura of the practical does enter it. People sit down at the kitchen table and say, "Can I afford to run for public office or do we need both incomes?" I doubt very much that people stay in the political process for the money.

Most of the members in this chamber are taking a loss in economic terms to be here. That is a reality. Every year I go home and my wife takes in my kitchen a document called the salary agreement between the Durham Region Roman Catholic Separate School Board and its teachers, and each year she carefully and painstakingly points out how much money I am losing by being a member. It is not a great deal of money, but it is change that I could surely use. But that is not the critical difference. You do not run for public office because of the amount of money you are paid. I think people understand that much.

11:30

Second, you do not stay in public office because it is a well-paid position either. That is also true. My experience tells me that public life is a strange animal at any level. You either like it or you do not like it, and there is not much in between. If you do not like it, there is no amount of money in the world that can make you take this kind of abuse. That would be my comment to people who are thinking about running for public office. You never really know it until you hold public office and get an opportunity to experience the anger and the frustration that is out there in our society, and either you try to change that and make the world a little better place at any level of government and you are driven by that cause, or you will not stay in public office.

I do not know of anybody who could not leave public office and make more money. I am saddened somewhat by the fact that at all levels of government the current trend is that people are leaving public office to make a potful of money. People are saying, "Our federal members of Parliament are overpaid." They are overpaid until they quit, and then they double their incomes. The same is happening provincially, municipally and on school boards—at all levels. One of the things that is a bit of a tragedy is that I know a number of people who have held public office and have quit because, frankly, at some point the financial drain on the family income was one that could not be sustained.

I know this resolution is not going to do a great deal for anybody, but it does point out that councils, school boards and, I suggest, ourselves and the federal members of Parliament, have this terrible problem around honorariums, salaries and incomes; and they shy away from it.

I know the political realities out there, but I also know this: if we raised our incomes substantially this afternoon, I know who would phone me tonight and tomorrow morning and I know how long the rage would last. I know they would tell me the exact same thing whether we voted \$1 more or \$100,000 more, and that is true for politics at any level.

If a school boards sets its honorarium at \$2,000 as opposed to \$3,000, do they really think they are going to get a flood of phone calls the next day saying, "Weren't you wonderful?" People will probably write in and say: "Weren't you stupid? Why did you do that?"

I think part of the converse is true. The fact that we do not pay people very much to sit on local councils and school boards is not an overwhelming influence, but is a sign to the public at large that it cannot be a very important position. If we pay them only \$2,000 or \$3,000, that really cannot be something of much importance. That is rather sad.

The resolution before us is flawed; we should all recognize that. But we should also recognize that the world will not end tomorrow morning if this resolution is passed. I urge members to use it as an occasion to vent their opinions, as I have, on how people set these, what the levels should be and when they should be set. To that extent, the resolution is worth supporting.

I wish it had been put together in a slightly better form. There are things that could be done that would assist this process. It could have been better drafted. It could have acknowledged reality; that would have been a help too. But I do

not think we should ask too much of new members in this chamber. When they have an opinion and they want to voice it, one of the things about a parliament is that even if you are wrong, sometimes even if you are dead wrong, you do have a right to voice your opinion. That is what the member for Brampton is doing this morning. He is certainly welcome to do that.

I am going to support his resolution. It seems to me relatively harmless. The discussion, though, is worth while, and to that extent at least we ought to support it.

Mr. Epp: I am pleased to be able to participate in this debate on this resolution. I am going to speak against the motion and I am going to vote against the motion.

Mr. Rowe: You had better come over here.

Mr. Epp: I want the member to understand and I want my colleague to understand that it is done in a sincere but friendly way. If the member feels that cannot be done he should tell me, but I am still not going to sit down.

Mr. Stevenson: You simply cannot support the jerk, is that it?

Mr. Epp: I want to speak against it for a number of reasons. I was not a member of this Legislature then, but between 1971 and 1975 there was no increase in the honorarium given to members of the provincial parliament. When they did give themselves an increase it was substantial. As a result, it was felt that members did not deserve it. If they had given themselves the inflationary increase every year—and I am not saying at this point it should have been inflationary, less than inflationary or more than inflationary—if they had done it on an annual basis, they would not have met the hostile reaction they met in 1975.

When you do this on a once-every-three-year basis you are going to encounter that. On that basis, I suggest it should not be done once every three years, just before an election, because it may be an unpopular vote and the public can take it out on you. Therefore, you are intimidated into voting yourself a very low increase. The public will not support you at the polls if, all of a sudden, you give yourself a 15 per cent increase once every three years rather than a five per cent increase every year. I think the timing this motion suggests, that you do it within 60 days prior to the next election, is unfortunate.

I am opposed to it on another basis, which is that the motion suggests that the duly elected members at the school board and municipal level, which includes 125 school boards and 838

municipalities, are not in close enough touch with the electorate, that they are going to do something very crazy, very outrageous or whatever it is going to be, that the public is not going to know about it and that therefore they are going to put something over on the public. My feeling is that they are duly elected. They have to appear before the electorate on a regular basis to be elected to the school board or at the municipal level and therefore the electorate can punish them if it wants to.

If it were a body appointed by somebody at Queen's Park or whatever the case might be and if it then did something completely unacceptable, but the public could not in any way control it, that would be different. These are duly elected people. They give themselves that increase, as popular or as unpopular as it may be—and it is never popular, as the member knows. You cannot give yourself an increase for five years and then give yourself a 10 per cent increase, which with inflation may be only four per cent or 4.2 per cent. The public is down on you because you have given yourself a 10 per cent increase. They forget you had not given yourself an increase in 10 years.

These duly elected school boards and councils are autonomous. We should make them as autonomous as we possibly can, knowing full well they are ultimately responsible to this Legislature, to the 125 men and women elected to this place. I do not know why I, an elected member on a municipal council for 10 years, all of a sudden had a lot more wisdom given to me the day I was elected, June 9, 1977, because I was elected provincially. I could then vote for my increase on an annual basis if I wanted to; but when I was a municipal councillor and mayor of the city of Waterloo for those 10 years, I could not. I did not have the wisdom to do it on annual basis.

I do not know how I got that radical increase of wisdom just because I went through a provincial election. That is what we are saying. We are saying that because we are provincial legislators we are exposed enough to the public that the public knows what is going on, so we can do it on an annual basis, we can do it three times a year if we want to or we can do it whenever we want to. However, if we are at a school board level or at a municipal level out there in one of those many municipalities or school boards, then all of a sudden we do not have that wisdom, the moderating effect of the media watching us or the wherewithal to vote or not to vote ourselves that increase. I do not accept that principle. Maybe it

was not intended that way, but that is the way I read it.

11:40

When we gave ourselves an increase in 1977, after I was elected—I think it was the fall—I remember seeing a cartoon drawn by a colleague of mine. I had taught with him for a number of years, and he drew a few cartoons. He had a cartoon showing the member for Kitchener-Wilmot (Mr. Sweeney), the then member for Kitchener, Mr. Breithaupt, and myself, and down at the bottom it said, “MPP.” He understood “MPP” stood for “More pay, please.” Members probably have not thought of it in those terms, but apparently that is what “MPP” stood for in that cartoon. I thought it meant “member of the provincial parliament,” but it just goes to show how wrong you can be when you are elected to this place.

The public did not punish me during the next election, as many times as I voted for my increase, however modest it was. Some members of this Legislature like to stay away when the time comes for voting themselves an increase, because they can always say they did not vote for it; but they have their hands out afterwards, they never turn their money back to the Legislature. They can have it both ways; they can say, “I never voted for it, but I have to take it.”

Other people, who have the courage to vote for their increases, will take their lumps with the electorate. That is what I want. I want the members of the councils to vote themselves an increase whenever they feel it is desirable to do so, and the same applies to the school boards. But I want it to be done at an open and public meeting and the public to be made aware of it. If the public wants to punish them, however small or large the increase is, it is up to them, knowing full well what their democratic rights are.

Mr. Pierce: I rise in the House this morning to speak against the resolution. Having been involved in a municipal council for a number of years and having close associations with school boards, I find it a bit difficult to believe that we in the provincial Legislature should be meddling in how municipal councils and members of school boards reach conclusions in setting remuneration.

I also find it a little difficult to understand how, according to the resolution, you could have the bulk of the members on a board, who are not running in the next election, dictating what will happen for the next three years to the people who will be running, by setting the wages for the new members coming in after an election.

It behooves individuals running to be able to determine, after election, what they feel is the adequate remuneration for the job. If the remuneration set by them is not acceptable to the general public which has elected them, I am sure the general public will not hesitate to inform the members of school boards and of municipal councils. If proper attention is not paid to the complaints and if the increases are considered to be above what would normally be accepted, those individuals will certainly know about it in the next election.

I do not think it is the place of this Legislature to determine that people vying to be members of school boards and members of municipal councils are not intelligent enough to be able to set their own remuneration as it reflects on the municipality and on the work load that municipality may be faced with through its school board or municipal council.

In some municipalities, there is no doubt that the amount of time an individual member who has run for municipal council or school board is required to spend on its council or board is limited. However, other municipalities may be faced with problems of growth or problems of declining growth that require long hours, many nights and full days of deliberation to determine the needs of the municipality or school board. For us to say a municipal council or board that is going out will determine what new members coming in will be paid is not the direction in which we want to go in this province.

As was mentioned by the member for Scarborough Centre (Mr. Davis), boards of education and municipal councils face a number of problems. These boards are more than capable of determining their needs and requirements in determining their remuneration. As I said earlier, I think it is beyond our ability and scope of control to decide whether municipal councils should be limited by existing councils that are going out.

Also, to suggest that a council, prior to its removal and 60 days before an election, will determine what its salary will be for the next three years is something that is not determined in a lot of collective bargaining agreements, as an example. Most unions and companies like to know they are going to have an opportunity to place their demands in the negotiating process without being tied to a long-range agreement.

If we now say members of councils and of school boards will be tied down for three years with no consideration given to changes in the amount of time or commitment required, we will

have members who have been elected for three years resigning their seats short of the three-year term. Then we will be faced with by-elections and appointments to boards and councils, which I am sure is not the wish of this Legislature.

For that reason, I have to say I do not agree with the member's resolution. More consideration could have been given to the motion. All kinds of information out there could be gathered from existing municipal councils and school boards to indicate that they are very much responsible for their everyday actions, are responsible to the electorate that has put them there and are quite capable of determining what is acceptable in the world of politics and in their own municipality with respect to remuneration. They do not require us as legislators to tell them that even though they are elected we will dictate to them legislation as to whether they are allowed any increases.

With those comments, I have to tell the member that I must vote against his resolution.

11:50

Mr. Allen: I rise to speak on this ballot item in the spirit of my colleague the member for Oshawa (Mr. Breagh), who suggested the subject and content of the proposal is of such relatively small consequence that he can support it. I am suggesting it is of such small consequence and impact that I can modestly oppose it. It is important that private members' legislation have the opinion of all members of the Legislature as individuals and not just as members of caucuses.

I suggest, however, there is a certain patronizing tone to this resolution. It starts by suggesting the public does not understand. I do not think that is the problem; I think the public is quite capable of understanding. What the member suggests the public does not understand is the method of establishing levels of remuneration for councils and school boards.

He goes on to say there is no method and therefore there is nothing to understand. How can one criticize the public for not understanding something that is not there? He then confesses that the Education Act does have a mechanism; therefore, I am left wondering whether this proposal is meant to confuse the public, the Legislature and, indeed, the boards of education about whether this resolution or the contents of the Education Act should take precedence.

With respect to the question of setting levels only once in a term, we all know what happens to unions when they go out on their multi-year settlements and get tagged with having agreed to

a 15, 20, 25 or 30 per cent increase when it is spread over a number of years. The public gets one impression, and one impression only, and any board or council that wanted to minimize that kind of impact should be free to do so.

The question of 60 days is again a major problem. I do not understand why one would want to get into a situation where a council responsibly attempting to deal with its salary levels would put itself in a position where the public would end up debating only salary questions in an imminent election, to the detriment of all the other major issues of the municipality. For the Legislature of Ontario to propose this to municipalities would presume we have some secret wisdom concerning how to settle the question. We have not settled it for ourselves; I do not think we have a right to stand up and try to settle it for other people.

The notion that when you run for election you accept the contract, which is so current in many municipalities, suggests that no municipal council should ever responsibly deal with the question. Locally, a group has attempted to make some proposals in that regard, and my only observation about that study is that while it had some interesting suggestions to make, the study itself did not consult any local member about the nature and range of his responsibilities to devise either a method or a level of compensation.

There are just too many flaws in this proposal for me to be able to support it responsibly; so I do in fact oppose it.

Mr. Callahan: It is interesting that when you raise the question of money in a political forum, everybody gets hyper. I think the time has come when the public should be armed with all the information it requires to determine whether we are paid or underpaid, and I find it difficult to believe the reaction of members of this Legislature, when I started off by telling them this was not a matter of interfering with the autonomy of the local representatives, it was a matter of fairness to the electorate.

I thank the member for Oshawa. He was very kind, and I hope he will still vote for my resolution after I blast all those guys, because I suggest the members today probably have flip-flopped.

In 1982, the provincial Legislature did to school boards exactly what I am trying to do to municipalities. It moved legislation to require them to set their stipend before an election so those poor people out there who vote in elections, for me and everyone in this Legislature, get an opportunity to see just how that stipend was

arrived at. It seems to me it is time for politicians—and we have tried it with our government by opening up the government to all the people—to realize that the public is not stupid and is entitled to know rather than being told five weeks into the term, “Hey, guys, we have increased our stipend by X dollars.”

I suggest to members that there are some inconsistencies, and I want to show some of them to my good friend the member for Hamilton West (Mr. Allen). The population of Toronto is 600,000, according to this report; councillors there receive \$59,356. In Hamilton, which has 308,000 people, councillors receive \$34,943. In London, there are 278,000 people, and councillors get \$57,800. I could go on ad nauseam. There is no consistent program for a voter to look at this intelligently and determine how they arrive at those salaries.

Now I would like to deal with the comments of my good friend the member for Scarborough Centre. My friend was upset because I had not told him that in my research I had discovered school boards had been changed through legislation. He prepared himself on that basis, and when he found he did not have any rocks to throw at me, he decided he would do it by saying it was a poorly worded resolution.

It also makes me wonder about this Legislature, particularly the Conservatives, who are the official opposition. They are the guardians of the purse of this province. They have legislative committee after legislative committee come forward to try to find out how this government is spending money. In one instance, they put 400 questions on Orders and Notices, one of which cost \$100,000 to investigate. Yet they are the people who can speak about this whole issue. They do not look at the question of how taxpayers are being treated, yet they are the guardians of the purse. I find that rather unusual.

With reference to my good friend the member for Waterloo North (Mr. Epp) speaking against the issue, what he missed is that members of the public are entitled to all the information they can have when they go out to exercise their franchise. I put the 60-day clause in there to highlight the question so that when members of the public go to vote on this issue, they will have that matter before them and can consider it.

In actual effect, the policy change I am suggesting benefits not only the public but also the politicians, because the municipal politicians will probably get private groups to check into an appropriate salary range and then go to the public and say, “Look, we had a private group do it.”

They do not have to try to hide behind it, take a lesser increase and wind up not being paid appropriately. If politics in this day and age has reached a higher plane, I hope it is one where we wish to have the electorate given all the goods and all the evidence so they can make an appropriate disposition.

Interjections.

Mr. Speaker: Order.

Mr. Callahan: Surely the questions of things such as salary are of paramount importance to electorates. If one looks at newspaper articles, one sees the number of times that people have gone after their councils to try to persuade them to draw back on the salaries. That would not happen under my proposal, because councils would have to justify it. It would be done on an appropriate basis. They would get the increase they were entitled to and not be cutting back and then trying to catch up in another year.

I guess I am naïve, and perhaps that is the reason my resolution is poorly worded. I am a freshman in this Legislature. Perhaps I am naïve enough to believe that politicians have risen to greater heights than being worried about whether the public knows how much they are being paid. If one serves the public well, then people are prepared to pay what one is worth. I am prepared to take the heat of a large increase if I feel I am doing the job. It seems as though some of us would like to sweep it under the carpet.

Interjections.

Mr. Speaker: Order.

Mr. Callahan: If the members of the Conservative Party are concerned about this issue, then they should vote against it. I imagine they will anyway, but I want them to realize that in voting against it they are saying trustees are to be treated differently from municipal councillors. Trustees have to set their salaries in advance and accept the scrutiny of the electorate; municipal politicians do not.

NORTHERN DEVELOPMENT

Mr. Speaker: Mr. Foulds has moved resolution 62.

Motion agreed to.

REMUNERATION OF TRUSTEES AND COUNCILLORS

Mr. Speaker: Mr. Callahan has moved resolution 37.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

The House recessed at 12:01 p.m.

AFTERNOON SITTING

The House resumed at 1:30 p.m.

RICK HANSEN

Mr. Speaker: Today is a special day, and I am delighted to welcome an outstanding young Canadian, Rick Hansen, who has become world renowned as the Man in Motion. Rick and his dedicated crew are with us today in the Speaker's gallery. Rick has travelled approximately 32,900 kilometres to reach this destination in his journey to assist others.

As Speaker of the Ontario Legislature, I am pleased to ask all members to join me in welcoming Rick Hansen.

Hon. Mr. Nixon: In honour of our special guest, I ask unanimous consent to call order 121.

Agreed to.

GEOGRAPHIC TOWNSHIP OF
HANSEN ACT

Mr. Shymko moved second reading of Bill 146, An Act to change the name of the geographic township of Stalin to the geographic township of Hansen.

Mr. Shymko: This bill enshrines permanently in the history and in the land of Ontario for all generations the name of Rick Hansen, which epitomizes the best in humanity, not only to Canadians but to all mankind, following the tradition of other Canadian heroes such as Terry Fox and Steve Fonyo.

His name and theirs have taught us one simple lesson: that true heroism is not in war but in the battlefield of life, to give hope to those who face hopelessness, to give strength to the weak, to give faith to those who are wavering and to show love by one's deeds. The name of Rick Hansen is a symbol of the invincibility of the human spirit, which knows no obstacles and crosses all boundaries, as he has crossed all boundaries.

May God bless him in giving him strength to complete his journey of Man in Motion. Perhaps this is a small journey in the eternity of life, but his tracks are permanent imprints which others will follow in the infinity of the journey of human destiny.

Mr. Rae: I rise to express, together with the members of my party, our pride and the pride of all the people of our province in this remarkable man who has graced us with his presence today as he has graced literally thousands of communities around the world.

When I was in China with the Treasurer (Mr. Nixon), who will perhaps recall this, we visited the Great Wall. We were able to walk up a very steep incline past several sentry points. As we were walking up, our host made a point of telling us that this was precisely the place where Rick Hansen had been in his wheelchair a while previously.

I tell members this for two reasons. One, it is very hard to describe the steepness of that place and the really remarkable physical achievement that Rick Hansen has made. Two, I want to tell Rick Hansen that the impact of his visit in China was still being felt. For instance, I visited a hospital in Nanjing, where they commented on the fact that this remarkable Canadian had been in China and had demonstrated what people with disabilities can do when they set their minds to it.

It is not often that people get a chance to meet someone who has demonstrated absolutely extraordinary qualities of courage. All of us are awed by Rick's physical achievements in the sense of the enormous physical stamina that such a trip around the world must require. All of us are even more awed in a genuine way by his courage, by that sense of indomitable spirit and by the absolutely charming humility with which he has accepted the extraordinary fame that his courage has quite rightly bestowed upon him.

Ours is a culture that bestows celebrity on some pretty strange events. Indeed, one wonders sometimes about the attention society and our commercial culture pay to events and to people to whom most of us feel probably not very much attention should be paid. Every once in a while, however, something happens that brings people from all parts of the world and from all backgrounds together in a unique way because they recognize that something literally extra-extraordinary is going on.

This tour has done many things. It has provided a sense of hope and a sense of inspiration to a great many people, young and old, who are disabled. It has also shown the world that Canada has produced some very extraordinary people who have demonstrated to disabled people around the world that there is a chance, there is a way of participating and a way of taking part. I know Rick Hansen would want us to think today not only of him and of this extraordinary event, but also of all the people in our community who are disabled and who in their own ways are having to fight their own battles.

All of us in our various jobs have had to face up to the fact that in our community we do not do all that we can do to make the disabled truly part of our community. The unemployment figures are there, the figures on income are there, the barriers are there. They must come down. I do not want to dwell on that today because I do not think it is appropriate for us to engage in that kind of a political discourse on this occasion, but I do want to say on behalf of our party how proud we are of Rick Hansen, how proud we are to recognize his courage today and just what a marvellous symbol he has become to all those who seek to take their place in the sun.

13:40

Mr. Grossman: Today is one of those days that one sometimes believes and is proud to think only Canadians share from time to time, a day when we should not meet and gather to do anything but celebrate, and, yes, remember a Canadian who somehow has epitomized what each of us likes to believe is somewhat special and unique about Canadians.

In every country of the world, in every walk of life, there are many people who face adversity but few people who challenge it. There are many people who dream of dreaming, but there are few people who actually dream. There are people who dream, yet fail to have the courage to implement that dream, to do something about it.

In Rick Hansen we have that unique coming together of someone who dreams, dares to dream and gets out and does something about it, someone who looks adversity in the face and not only fights that adversity and does something about it, but also seeks to reach so far beyond it as to ensure that as few people as possible need ever again face that adversity as a permanent circumstance. Unfortunately, Rick Hansen makes all the rest of us spectators as we admire, revel in and celebrate his accomplishments, determination, dedication and humanity. He makes the rest of us spectators and challenges us to do what we ought to be doing to make sure that we not only celebrate his accomplishment and his heroic endeavours by virtue of the bill moved by my colleague today, but that we also do what we can to do what he asks us to do, and that is help to solve the problem.

I want to say to Rick Hansen today that this Legislature sometimes greets visitors and oftentimes acknowledges accomplishments. Too often, we do that almost in a perfunctory way. We are genuine about it but still perfunctory. We pause to acknowledge it and then move right on. I want to say to Rick that last week the member for

Scarborough West (Mr. R. F. Johnston) ensured that this Legislature would not just blink and carry on. Somehow, he seemed to seize the magic of a moment and carve into each of us a sense of obligation to make this visit into something far more tangible than just a perfunctory acknowledgement.

The most important thing we can say to you today, Rick, is that we heard the words that were spoken last week by the member for Scarborough West in your absence, but on the occasion of your arrival in Ontario. He made an indelible impression on us. For that we thank him and for that we thank you.

Finally, might I say that night after night, Ontarians and Canadians watch the news. I have been in many circumstances where many people are sitting around watching the television set and watching go by all the news we think we help make and all the things we sometimes believe are so important, and, suddenly, when Rick Hansen comes on the screen, everything stops in those rooms. Everyone's attention is riveted on the day's events and everyone stands in awe, as it should be.

My party, together with all Ontarians, is proud of the response that somehow only Canadians, and especially Ontarians, can have in such a big way. We celebrate your accomplishments. We applaud you. We thank you. We undertake not to forget the message you bring night after night on our TV sets. We stand in awe of you. We thank you.

Finally, we want in a real and sincere way to tip our hats to you. We in this party regret the colour, but none the less we want to take this opportunity, Rick, seriously and with some emotion and sincerity, to tip our Rick Hansen hats to you. Thank you and good luck.

Hon. Mr. Ruprecht: On behalf of the Premier (Mr. Peterson) and the government of Ontario, I am delighted that we have this opportunity to greet and congratulate Rick and the members of the team of the Man in Motion world tour on this historic occasion.

As you are aware, Mr. Speaker, Ontario has proclaimed this week, November 3 to 9, Rick Hansen Man in Motion Week. The Premier has encouraged all Ontarians to support the goal of the tour. He enjoyed meeting Rick earlier this week and is looking forward to follow-up discussions on matters of mutual concern, scheduled for early next week.

We are indeed proud to have this opportunity to participate in a historic event that has drawn

worldwide attention to the achievements that are possible when human beings have the will.

The Man in Motion world tour is much more than a sightseeing trip. For Rick, the distance is symbolic and the goals of his journey are selfless. This remarkable athlete, who was disabled in an accident at the age of 15, hopes to increase awareness of the abilities and potential of people who are physically challenged. He is raising funds for spinal cord research to help others like him and to show the importance of sports and recreation in the rehabilitation of disabled people.

I first met Rick Hansen on October 24 in Ottawa as the minister responsible for disabled persons. I am also responsible for co-ordinating the Ontario government's involvement with the Man in Motion world tour. On behalf of the Premier and the government, I greeted Rick as he crossed the interprovincial bridge from Hull, Quebec. I was already deeply impressed by his courage and dedication to his dream, but after meeting him I admire him even more. Rick displays a rare ability to share his vision with others and to instil in them his enthusiasm.

In closing, I will address a few words directly to Rick himself. Rick, you have covered a lot of ground in the past year and a half and we know you still have a long way to go before you reach home. When you leave our province in another eight weeks or so, you will be heading off in the middle of winter, a challenge in itself. Please know that you will take with you the warmth and support of the people of Ontario. We are proud to have had you with us and proud to have been a part of your dream.

You will leave behind a legacy of increased understanding and awareness. Obviously, Rick, we need people like you. We cannot all do what you are doing, but you show us that all people can contribute in their own special way. If I may adapt a line that has become quite familiar of late, we would like to say we are all with you, Rick. Good luck in your travels and have a safe trip home.

Motion agreed to.

Third reading also agreed to on motion.

13:50

REMEMBRANCE DAY

Hon. Mr. Nixon: It might be appropriate to ask for unanimous consent for some remarks pertaining to Remembrance Day.

Mr. Speaker: Do we have unanimous consent?

Agreed to.

Hon. Mr. Nixon : On Tuesday, November 11, Canadians of all generations across the country will honour those courageous individuals who put their lives on the line to protect and defend those things that we in this country hold to be dear. On behalf of the Premier (Mr. Peterson), I would like to take this opportunity to express the government of Ontario's respect and gratitude.

The Canadian effort in the First World War, the Second World War and the Korean war was immense. More than 1.5 million Canadians served overseas, more than 100,000 were killed and many more were wounded. They gave of themselves, and many of them paid with their lives for a heritage they valued and a vision they treasured. Our way of life is their memorial, our freedom is their legacy and the achievement of world peace is the best monument we could erect in their honour.

In this province and in this country, we are very fortunate. For most of us, war is a remote thing. We see it on television, we hear about it on radio or we read about it in the newspapers. We can be grateful that war is not a part of our daily lives. On Tuesday, Remembrance Day, we have an opportunity to express our gratitude and direct it to those to whom we owe such an enormous debt. Their efforts will not be forgotten.

Mr. Harris: Across the province, in communities large and small, people will bow their heads on November 11 for one minute's silence. Their prayer will not be to glorify the past; it will be a thanksgiving for what we enjoy today, for the ideals that underlie our freedom. This thanksgiving prayer will not be made in a spirit of complacency. The message of the 20th century has been that freedom must be continually guarded in a world where more than three quarters of mankind live in the shadow of totalitarian government. Freedom is a precious flame.

Canadians have defended freedom in two global conflicts. We are not a war-like people. We have never taken up arms for conquest, but we have defended ideas and the rights of people to hold those ideas. Today, with the hope that a treaty between the superpowers will strengthen the dream of peace and freedom that inspired earlier generations to put their lives on the line, we have even greater reason to pause next Tuesday. Peace has its victories that are more lasting than those won in battle, but we live in a violent world. Since the end of the Second World War, more than 200 conflicts have been fought.

Einstein once remarked that peace can only be achieved by understanding. November 11 provides us with an opportunity, at least for one minute, to achieve some small fragment of understanding. Remembrance Day is our day to think about the freedoms that so many Canadians gave their lives to preserve, to think about the peace they won but did not have a chance to enjoy. They have thrown us the torch to hold high, and we in this Legislature must work to strengthen their vision of a free world at peace. We will remember them, not just from a sense of reverence, not to glorify the past and not to boast about great victories, but for their sake, for our own sake and for the sake of our children.

Mr. Rae: In 1916, the British poet Siegfried Sassoon wrote a poem called *Song-Books of the War*, which I would like to read to the House:

In fifty years, when peace outshines
Remembrance of the battle lines,
Adventurous lads will sigh and cast
Proud looks upon the plundered past.
On summer morn or winter's night,
Their hearts will kindle for the fight,
Reading a snatch of soldier-song,
Savage and jaunty, fierce and strong;
And through the angry marching rhymes
Of blind regret and haggard mirth,
They'll envy us the dazzling times
When sacrifice absolved our earth.

Some ancient man with silver locks
Will lift his weary face to say:
'War was a fiend who stopped our clocks
Although we met him grim and gay.'
And then he'll speak of Haig's last drive,
Marvelling that any came alive
Out of the shambles that men built
And smashed, to cleanse the world of guilt.
But the boys, with grin and sidelong glance,
Will think, 'Poor grandad's day is done.'
And dream of lads who fought in France
And lived in time to share the fun.

On November 11, we remember, out of that awful experience of the First World War, when literally tens of thousands of Canadian lads from towns, villages and communities all across this country gave up their lives in that awful struggle.

Siegfried Sassoon was writing as if, in 50 years from then, it would be inconceivable that countries and men and women would go to war again, but that has not been the experience of the 20th century. The experience of our century has been very different and very awful.

Canada became a nation in so many ways in that first struggle, and there are still, as we

remember them and think of them, a number of Canadians still alive who fought in that terrible war.

I think it would be fair to say that there are very few young lads and, indeed, young women today who would yearn for the fight in the way perhaps generations have in the past. In fact, I think there is a stronger desire for peace in this generation and a better recognition of the horrendous possibilities of war than perhaps ever before.

As has already been said by so many—and we will have occasion in the next few days to speak our minds as a House with respect to questions of nuclear war, nuclear security and nuclear peace—without any question, the way in which we can best pay tribute to those young lads, to those women who died in France, to those who died all over the world in the Second World War and to those who died in Korea on behalf of the United Nations, perhaps the best way we can remember them and honour them, and honour and remember their families, their children and their widows is by doing more in our own lives and in our own generation to make sure quite simply that it never happens again.

Indeed, as we speak, wars are going on all over the world, wars as destructive in their way as the wars that were fought by Canadians some 60 or 70 years ago and some 40 years ago. Through our international work we have to do whatever we can to make them stop and to make nations finally realize that nothing is gained by this needless and useless sacrifice of human life.

I firmly believe, as firmly I believe anything in this world, that the best way for us to pay tribute to those in this country who have died is for us to do everything we can in our own lives and in our generation to see that it never happens again.

Mr. Speaker: It seems to me it would be appropriate if we were to observe one minute's silence in remembrance of those who gave their lives for the benefit of all of us, and more particularly for those of us in this chamber, who enjoy parliamentary democracy.

Please rise with me and observe one minute's silence.

The House observed one minute's silence.

14:02

MEMBERS' STATEMENTS

SERVICES EN FRANÇAIS

M. Guindon: Monsieur le Président, permettez-moi de vous dire, en tant que député de Cornwall, combien je suis fier de constater

que le projet de loi 8 arrivera enfin après tant de retard et de remises en question.

Cette loi viendra enfin consacrer des pratiques qui étaient devenues courantes sous le régime Davis. Nous avons bâti, petit à petit, brique par brique, une maison dont nous sommes fiers, et le projet de loi 8 représente la consécration de cette oeuvre.

Nous reconnaissons toutefois qu'il ne faut pas s'attendre à ce que tout soit en place dès que l'encre du document officiel sera séchée. Nous savons qu'il reste beaucoup plus à faire et nous désirons en avoir l'assurance formelle. C'est pour cette raison que nous du Parti conservateur demandons un amendement réduisant à deux ans, plutôt que trois ans, le délai de mise en oeuvre des services.

Nous demandons également que le mandat des quatre personnes nommées à la commission soit permanent. La présence des quatre permanents au sein de cette commission donnera au gouvernement plus de chance de faire tout ce qui doit être fait dans le cadre des échéanciers prescrits.

En tant que francophone, je suis fier et j'espère que les efforts seront mis de l'avant afin que tous les Franco-Ontariens puissent, dans les délais prévus, avoir accès aux services promis. Au fait, je ne fais pas qu'espérer, j'attends y veiller avec diligence, car comme nous le disons si bien chez nous: chose promise est chose due. Merci.

CASE OF HARRY KOPYTO

Ms. Gigantes: Lawyer Harry Kopyto has been charged, convicted and sentenced for contempt of court by scandalizing the court. His crime was to tell a reporter in florid, everyday language that our courts favour the testimony of police officers and support their behaviour and misbehaviour as opposed to the testimony and rights of other citizens.

The Attorney General (Mr. Scott) decided Mr. Kopyto had threatened the administration of justice. He had Mr. Kopyto charged. Justice Montgomery heard the case in the Supreme Court of Ontario. The defence was not permitted to have witnesses speak to the validity of Mr. Kopyto's statement. Justice Montgomery said in judgement, "The Crown did not doubt the sincerity of Mr. Kopyto. Indeed, no one doubted the sincerity of his desire to right social injustice. What is objected to by the Crown is the hyperbolic and value-laden language and tone used by Mr. Kopyto." He said later, "I find his words were spoken from anger, not conscience."

The Royal Canadian Mounted Police officers who performed dirty tricks in Ontario have never

been punished by our courts. The Attorney General has seen fit to have court punishment meted out to a lawyer who, in conscience, expressed anger about that fact. The Attorney General is guilty of contempt for free speech. He has scandalized the public's belief in the value of truth and justice.

ASSISTANCE TO FARMERS

Mr. Stevenson: This is entitled *The Search for Farming's Tomorrow*.

As one soap opera comes to an end, another is in great disorganization. Our Minister of Agriculture and Food (Mr. Riddell) refers to himself as the king in the castle, and when he parades in his kingdom, he is known as Cadillac Jack.

In an early episode in his reign, the king stated, "I am in the driver's seat now," and he appealed to those in his kingdom to jump on and enjoy the ride. In another episode, a group of fruit farmers from Niagara had their crops destroyed by hail. The king appeared in his tower with his wizard and shouted to the farmers to go back to the fields because the crops in other regions of the kingdom were adequate for his needs.

In the latest episode, the council of the township of Stanley in the Huron-Middlesex part of the kingdom has asked for disaster relief in the light of the inadequacy of the king's crop insurance program, but the request did not go to the king, it went to his federal counterpart.

Oh, the suspense and suspicion. Will the king get his part of the \$6 billion of massive new revenues his Treasurer has raised in the kingdom in the past two years to help the farmers near Varna? Will the king get part of the \$400-million windfall in the past six months, or will the king go out on a trip to Atlanta with his queen? Stay tuned, as we search for farming's tomorrow.

ROYAL CANADIAN LEGION

Mr. Philip: During the next few days, most members will be participating with members of the Royal Canadian Legion and other constituents in services remembering those heroic people who sacrificed their lives to protect our democratic way of life.

The Canadian Legion was established in 1925 and incorporated in the following year. It is well to note that for 60 years members of the Royal Canadian Legion have worked for justice on behalf of all citizens. In 1929, the legion sought a minimum wage for all Canadian workers, and the following year its protests resulted in the cutting of the veteran's indebtedness and the establishment of a pension appeal court.

The legion showed its progressive ideals when, in 1932, it developed a concern about the rights of individual privacy. This resulted in stopping the government from its foul practice of publishing the names, the pensions and the details of disability for disabled pensioners. In 1938, the legion took up the cause of inadequate low-rental housing, as Canada was the only western country without legislation supporting accommodation for poor people. The following year, thanks in part to the pressure of the legion, free hospitalization was provided for disabled veterans who could not afford it. In 1951, the legion asked for a federal increase of one third in the cost of living for disabled pensioners, which was approved in November of that year.

We owe the members of the legion our vote of thanks for what they have done for people in our constituencies and for what they have done for all Canadians.

HIGHWAY CONSTRUCTION

Mr. Ward: For the past 15 years, the people in my community have been waiting expectantly for work to begin on the Ancaster to Brantford portion of Highway 403. I know this has been a matter of great concern not only for myself but also for the member for Brantford (Mr. Gillies) and the Treasurer (Mr. Nixon).

Over the course of the past several years, this project has been the subject of many promises but little in the way of tangible activity. In 1981, the then minister announced that construction would begin in 1985; yet no funds ever appeared in a capital budget after that. In 1982, it was announced that consultant engineers had been retained and that design work would be done, but as recently as two weeks ago, only 30 per cent of that work had been undertaken and only 20 per cent of the property had been acquired.

Therefore, Mr. Speaker, I am sure you can appreciate that my community was delighted when the Minister of Transportation and Communications (Mr. Fulton) announced on Tuesday that the precontract work and land acquisition for this most important project would begin immediately. I want to express my gratitude to the minister for his co-operation in this matter.

BRAVERY AWARDS

Mr. Bernier: On Tuesday last, along with the Premier (Mr. Peterson), the Lieutenant Governor and many other members of this Legislature, I had the pleasure of being in attendance at the 10th annual investiture for the awarding of the Ontario

Medal for Police Bravery and the Ontario Medal for Firefighters Bravery.

Three of the 21 recipients were from the great riding of Kenora. They are Constables Kevin Adam and Grant Robbins, both of the Red Lake detachment of the Ontario Provincial Police, who combined their bravery and risked their lives to save a woman from drowning in Howey Bay, where she had fallen through ice some 600 feet from shore, and Corporal Steven Perrow, also of the Red Lake detachment of the OPP and formerly of the Campbellford detachment, who, without heed for his own welfare, entered the second floor of a burning building and dragged an elderly lady to safety.

It is very fitting that these outstanding individuals should be recognized this week, the week of a visit from another outstanding, determined and dedicated Canadian, Rick Hansen. All are heroes in their own right.

14:10

STATEMENTS BY THE MINISTRY AND RESPONSES

OUTSTANDING DISABLED ATHLETE OF THE YEAR AWARD

Hon. Mr. Eakins: This has been a truly incredible year of achievement for Ontario's disabled athletes. Our disabled athletes have participated in more than a dozen national and international games and have brought home scores of awards and medals. This month all of Ontario welcomed Rick Hansen, Canada's greatest wheelchair athlete. It is in recognition of such outstanding achievement by our disabled athletes that I am pleased today to announce a newly created and specially designed award to honour Ontario's Outstanding Disabled Athlete of the Year.

The Ministry of Tourism and Recreation honours Ontario's finest athletes at our annual sports awards banquet. This coming April, Ontario will recognize an Outstanding Disabled Athlete of the Year. Subsequently, our government will present a cheque for \$5,000 to the Office of Sports for the Physically Disabled to increase participation in the discipline from which the winner is selected.

In Ontario we are privileged to have high achievers in all sports, including sports for the disabled. The Office of Sports for the Physically Disabled co-ordinates programs for amputee and blind athletes as well as for cerebral palsy athletes and for wheelchair sports.

This year Ontario's provincial representatives in disabled sports took many of the top awards at

the world championships in athletics and swimming in Sweden, at the Stoke-Mandeville Wheelchair Games in England and at the World Cerebral Palsy Championships in Belgium. Our top wheelchair athletes are now in Puerto Rico, competing in the Pan-Am Wheelchair Games.

Nominations for the new award will be handled by the Office of Sports for the Physically Disabled, a recognized sports governing body of Ontario. They will present a list of nominees to a selection committee designated by the Sport Achievement Award program. That committee will select the outstanding disabled athlete.

Through our Sport Achievement Award program, we award special certificates to Ontario's top athletes in provincial, national and international competition. Therefore, we have a system in place and readily available for use in identifying nominees for the new award.

Many of us can recite the names of past recipients of Ontario's Outstanding Athlete of the Year award, people such as Ben Johnson, Susan Nattras, Alex Baumann and Kathy Kreiner. Through the creation of this new outstanding athlete award, more Ontario athletes, disabled athletes, will become household names as well.

As we watch the outcome of the Ontario Winter Games in Thunder Bay this coming March, we will see disabled athletes taking part in alpine events. We will have the opportunity to see more of our disabled athletes in action at the Provincial Games for the Physically Disabled in North York next August, and at the Canada Games for the Physically Disabled in Brantford, also next August.

At events such as these, the nominees for future Outstanding Disabled Athlete of the Year awards will emerge. I look forward with great anticipation to next April at the sports awards banquet, when it will be my privilege to present the first Outstanding Disabled Athlete of the Year award in Ontario.

HOSPITAL FUNDING

Hon. Mr. Elston: I would like to announce details of the 7.4 per cent or \$345-million increase in spending for Ontario hospitals in fiscal year 1987-88 that the Treasurer reported on Monday.

In keeping with this government's commitment to provide great certainty in financial planning, I am pleased to announce that all Ontario hospitals will receive the four per cent increase that was announced last year. We will provide an additional 3.4 per cent or \$159-million increase to recognize growth in hospital

programs. This will bring total hospital operations spending by my ministry to approximately \$5 billion.

The additional funds will be used to support new hospital programs that are scheduled to begin in the next fiscal year. When fully operational, the cost of these programs is projected to total some \$100 million.

This money will also be used to fund projects that were started in 1986-87. It will bring into full operation hospitals that were opened this year and it will help alleviate the pressure of work load increases in hospitals having to treat more patients.

These funds will sustain growth in valuable life-support programs in designated hospitals, programs such as renal dialysis, cardiovascular surgery, perinatal health, intraocular implants, chemotherapy and total parenteral nutrition.

Our small hospitals will also be helped. Hospitals with fewer than 50 beds will receive an additional one per cent in their budget.

I am especially happy to announce that a provision is being made to recognize the impact on hospital costs with the introduction of nonionic contrast media. These special dyes are used for diagnostic purposes in X-rays and have greatly helped reduce discomfort and negative side-effects for patients who require their use, but they are more expensive than traditional dyes. I have requested that the Ontario Hospital Association and the Ontario Council of Administrators of Teaching Hospitals meet with my ministry to develop a plan to allocate these funds.

In addition to the increases I have announced in hospital funding, I am pleased to report an average 6.8 per cent increase in spending for the 43 health units providing services across the province. This increase includes a four per cent basic-allocation increase as well as additional funds to continue implementing core programs.

These core programs, made mandatory under the Health Protection and Promotion Act, are being phased in gradually for all health units across the province. The first phase includes community sanitation, communicable disease control, family health services, nutrition, preventive dentistry, school health services and public health education.

I believe the \$130.5 million in funding made available this year for health units will permit them to provide the necessary and valued public health services to their communities. This early indication of funding increases will assist in the process of effective local planning and management.

This budget demonstrates the commitment of our government to recognize new priorities for growth and enhancement of our system. We are ensuring that the health care system of this province remains a quality service.

Mr. Andrewes: With respect to the announcement by the Minister of Health today, the minister may argue—and it is the only thing he can argue—that the timing of his announcement allows hospitals to do some better planning, but all it does is give those hospitals more time to plan how they will deal with the economic problems he is going to leave them with. If he is looking for accolades, perhaps he should talk to Peter Wood, a spokesman for the Ontario Hospital Association, who said they are expecting a \$100-million deficit by the end of the budget year. The 7.4 per cent increase pales beside the 8.7 per cent hike offered in 1985. This is the lowest percentage increase in nearly a decade. Even during the depths of the recession in the early 1980s, governments were able to find greater funds to fund our hospitals.

Where is the minister's commitment to the expanding role for community hospitals, to respite care for the elderly and Alzheimer's victims and to the role of hospitals in health maintenance programs? With respect to his announcement on boards of health, where is his emphasis on wellness? Where is his emphasis on sickness prevention, an expanded role for boards of health, an expanded dental program for the young and the elderly, outpatient programs for those afflicted with mental illness and wellness education in our school system? Tax windfalls are not to be sheltered for election announcements. Tax windfalls are to be applied where they are needed, and they are needed now.

Mr. D. S. Cooke: I appreciate the minister's statement, although I think the statistics and the grant increases he announced show more clearly than anything else can what is wrong with our health care system. An increase of 7.4 per cent, or \$345 million, will go to our hospitals, while at the same time our public health units, which are the basic, major clinics available to promote public health and prevention of illness, will receive 6.8 per cent. Their total budget is \$130 million. The imbalance shows clearly. A couple of weeks ago we had announcements of the integrated home care program. The total amount of money being spent on that program is just over \$20 million. We are talking of an increase of about 20 times that amount of money going to hospitals alone.

If we are to make changes in our health care system and if we are to progress to a true health promotion system and not an illness treatment system of health care, we are going to have to start shifting some of those priorities and resources. To continue to throw this kind of money into hospitals, while at the same time not providing enough money to integrated home care programs, public health, community health centres, health service organizations and those types of progressive new programs, is going to mean that eventually the health care system will go broke and we will all be losers.

OCCUPATIONAL HEALTH AND SAFETY

Hon. Mr. Wrye: One of the major responsibilities of the Minister of Labour of Ontario is to help ensure that illness and injury to workers at work are prevented and that worker health and safety at work are protected.

As far as this Minister of Labour is concerned, the assurance of occupational health and safety is a mission. As far as this Minister of Labour is concerned, this mission is driven by a vision. In the past 18 months, that vision has been manifested by unqualified action.

The policy on the issuance and enforcement of orders under the Occupational Health and Safety Act and regulations has been revamped. The prosecution policy has been rewritten. New resources have been dedicated to the administration of the law, such as the new construction inspectors and new legal branch staff I announced here yesterday. The number of requests by ministry inspectors for prosecutions has risen sharply. A comprehensive review of the act and regulations is being conducted and they will be amended.

Legislation requiring that workers and the community at large have access to specific and pertinent information about potentially hazardous agents in the work place has been introduced. The government has participated, actively and positively, in the federal-provincial-territorial effort to establish a national, work-place hazardous materials information system so that workers everywhere in Canada will have available to them information to help ensure their health and safety.

At the end of this month, I will be meeting in Quebec City with my federal and provincial counterparts responsible for occupational health and safety to put the final touches on implementing WHMIS. Then Ontario will move on its own right-to-know legislation. In short, the government has instilled Ontario's occupational health

and safety system with fresh vigour and momentum.

Today I announce a new measure that will give even sharper focus and meaning to the law that is designed to help ensure worker health and safety on the job. The Lieutenant Governor has signed a new regulation under the Occupational Health and Safety Act. It will take effect on Saturday, December 6, 1986. The new regulation is entitled "the regulation respecting the control of exposure to biological or chemical agents."

The current Occupational Health and Safety Act and the regulations have lacked the precision the government requires if it is to prosecute with even greater success. That is why this new regulation has been created. For the first time in Ontario, we will now have a regulation that sets out a legal listing of more than 600 agents of concern to workers and places specific legal limits on work place exposures of those agents.

We will now have a regulation that requires employers to reduce exposures through their use of engineering controls such as ventilation. We will now have a regulation that places major limitations on the circumstances in which employers may forgo engineering controls and, as an alternative, provide protection for employees for personal protective equipment such as respirators. We will now have a regulation that reduces the time for calculating compliance with the chemical exposure limits that are established. In short, we will now have a new means for enforcing the law with greater clarity and success.

As I said earlier, the regulation respecting the control of exposure to biological or chemical agents will increase the government's chances of succeeding in prosecutions against employers whose employees are exposed to unacceptable levels of biological or chemical agents on the job.

In that connection, let me remind honourable members of the place prosecution has in the administration of the occupational health and safety law in this province. The Occupational Health and Safety Act is rooted in the idea that management and labour at the work place are in the best position to ensure worker health and safety and that they have the primary responsibility for it.

It is the government's job to make sure that management and labour are meeting their responsibilities, that the system is working, and when it is not, to intervene to help set things right. This government is dedicated to helping ensure that the work place parties are assuming their responsibilities and working out their own

solutions to their own health and safety challenges. It is also dedicated to helping ensure that the work place parties have a realistic and reasonable opportunity to do the job properly and to adapt to new rules effectively.

The new regulation I am announcing will be introduced in a firm but fair way. While I am prepared to see it introduced sensibly into the work place, I will have no patience with employers who, in our judgement, have all the capacity to comply fully and immediately but are careless, insensitive or cavalier.

As I said at the outset, for me, occupational health and safety is a mission. As Minister of Labour, I have dedicated myself to fundamental and ongoing change in this field. When the law has been violated, this government is prepared to bring its full force to bear upon the work place with speed, with strength, with discipline and without apology. The new regulation I have announced this afternoon will enhance significantly the government's capacity to do just that.

Mr. Gillies: The announcement by the Minister of Labour of the new regulation regarding designated substances under occupational health and safety will have to be digested at length. The regulation is 89 pages long and covers about 600 substances, some of which, I venture to say, are only understandable or even pronounceable by someone with a PhD in chemistry, or possibly Keith Norton. We will be going through this item by item to let the minister know what we think about his regulation.

He has framed this announcement to state that he sees this as "a mission," that he is "driven by a vision" and that "in the past 18 months the vision has been manifested by unqualified action." There has been a fair amount of action, but the minister might want to qualify some of it. Some of the action is an external investigation into the activities of his ministry, which is unprecedented in the history of the Ministry of Labour, and public complaints by members of the ministry inspection staff that they are inadequately trained and equipped to deal with their responsibilities. The minister will be aware that part of the reality of the past 18 months is that the work place in Ontario is not as safe a place as it was even a year ago. Accidents are up, complaints are up and, most regrettably, we see no decline in the number of deaths in the work place in this province.

The minister can do what he can, he can put out statements making it sound like the quest for the Holy Grail, but all it really is is hard work, and the minister should get on with it.

Mr. Martel: I was amazed by the minister's statement that "the Occupational Health and Safety Act is rooted in the idea that management and labour at the work place are in the best position" to protect themselves. It is strange that the minister accepts and presents this regulation when he knows the American Conference of Governmental Industrial Hygienists established all the standards without one bit of input by the workers, not a jot. Every bit of it was by company flacks, hacks and bureaucrats. Labour was left out, and my friend knows it.

What is even worse is that the levels that have been established are those that management has been able to reach across the country, not those that affect one's health or safety. The levels are ones for which companies can install the equipment. It has nothing to do with protection of the worker. In fact, it is so bad that they are regularly lowered when management reaches a level at which it can afford the equipment, so it says. That is how the polychlorinated biphenyl levels were established in Ontario. Peter Pelmeur sat in his office at 400 University Avenue, and when all the companies got down to 10 parts per million, it was dropped from 50 to 10 parts per million.

The Ontario Federation of Labour opposes this. My friend knows it. That is how much he involves labour. They wanted the Swedish system. It has fewer items, but labour had an input. In this one it is all by the bureaucrats and industry. The minister ought to be ashamed of himself.

AUTOMOBILE INSURANCE

Hon. Mr. Kwinter: I am making this statement in my capacity as the Minister of Financial Institutions.

I wish to take this opportunity to inform the House of the government's response to one of the major recommendations of the Slater task force on insurance. As members know, the Slater task force put forward a wide range of recommendations—98 in all—designed to address the cost and capacity problems in the general liability insurance markets.

At this time, I would like to express my appreciation to Dr. Slater and to the other members of the task force for their comprehensive report. I would also like to thank all those who subsequently commented on the report for their valuable contributions. We have reviewed and analysed those responses over the summer.

The Slater task force recommendation that generated the most interest in this province is the

call for some form of no-fault automobile insurance. Dr. Slater specifically recommended that the province move to a no-fault or partial no-fault insurance system delivered through private insurance companies and not through the government. The main reason for this recommendation was the task force's concern with the longer-term implications for the equity, efficiency and affordability of the present system and the steady increase in average settlements and awards for bodily injury.

In his report, Dr. Slater argued that the existing tort system does not achieve either its deterrence objectives or its compensation objectives. He pointed out that when a judgement is finally delivered and damages are awarded, there may be no relationship between the severity of the damage award and the degree of fault. Dr. Slater further argued that under the current system, more than half of all modern injuries go uncompensated.

It is worth noting that Dr. Slater did not suggest that a no-fault automobile insurance scheme would lower insurance premium rates. We have not yet received any evidence that a no-fault insurance system, publicly or privately run, would lower premium costs in Ontario. However, it would result in a greater percentage of injuries being compensated and, as proponents argue, it could bring stability and predictability to insurance and reinsurance markets.

Not surprisingly, Dr. Slater's no-fault automobile insurance recommendation has received substantial but mixed responses from various interest groups. Virtually everyone, however, agrees that further study is required before we consider the elimination of the tort system. This government is not prepared to reject or endorse no-fault automobile insurance out of hand. While Dr. Slater put forward a very comprehensive argument for his recommendations, he did not have the time or the mandate to design a specific, no-fault automobile insurance program for Ontario.

The construction of a no-fault automobile insurance program is complicated. It requires much thought and hard work. As Dr. Slater pointed out, it is extremely difficult to compare existing no-fault systems fairly. Unfortunately, it is an apples-and-oranges situation. Distribution and commission arrangements differ. Premium levels, investment policies, reserve policies and accounting policies all vary from one model of no-fault to the next. Claims and risk experience and court awards will differ between jurisdictions, as will the overall statistical databases.

While no-fault automobile insurance may turn out to be the best alternative to the current system, this government is not prepared to make such a move blindly. Before making a decision that would affect every member of the driving public, we insist on knowing whether the benefits of a no-fault system would outweigh the disadvantages. We want to be assured that the compensation to injured victims would be fair and adequate under a no-fault system. In short, we insist on knowing the full ramifications of such dramatic change.

For this reason, my honourable colleague the Attorney General (Mr. Scott) and I have established an independent, one-person task force to examine the tort system of compensation for injury by automobile accident and the consequences of the implementation of a no-fault automobile accident insurance scheme.

The Honourable Mr. Justice Coulter Arthur A. Osborne of the High Court of Justice for Ontario has agreed to undertake this assignment and report to the Attorney General and the Minister of Financial Institutions by November 1, 1987.

In particular, Mr. Justice Osborne will consider and report on the following: the adequacy, timeliness and fairness of compensation to accident victims under the present tort system; the effectiveness of the tort system as a deterrent in compensation mechanisms; the implications of removing tort liability as a basis for compensation in automobile accidents and replacing it with a no-fault system; the cost savings and effectiveness of a no-fault system for compensation for claims arising out of automobile accidents; the appropriate design of a no-fault automobile insurance system for Ontario, including the effectiveness of deterrence in a no-fault system; the effectiveness of rating systems related to driver performance and standards for ratings under such a no-fault automobile insurance system; the desirability of a modified no-fault system with some form of threshold at which recourse to the tort system would be allowed; the basis for determining compensation for injury or death in a no-fault system; dispute resolution and appeal processes for claims in a no-fault system; the need in a no-fault system for a catastrophic claims fund or pooling mechanism to protect small insurers; private versus public delivery of a no-fault system of automobile insurance, and the role of government in any proposed no-fault system.

Mr. Justice Osborne will have the assistance of an advisory committee that he will establish in consultation with the Attorney General and

myself. I am sure Mr. Justice Osborne will receive full co-operation on the part of all government ministries, boards, agencies and commissions, the insurance industry and all other interested parties. If, however, he deems it advisable, Mr. Justice Osborne may request any additional powers or resources necessary to carry out his duties and functions.

Mr. Ashe: I would like to respond to the statement made by the minister, who goes along like a tortoise. He has two speeds: slow and slower. That is the Minister of Financial Institutions, who in this case appointed a one-man task force to look at one issue, although I am not putting down in any way the importance and the relevance of the examination of no-fault versus the tort system of insurance.

He referred to the fact that there were 98 recommendations in the Slater task force, all designed to address the cost and capacity problems in the general liability insurance market. He may feel he has already wrestled that problem to the ground, but the marketplace out there feels he does not even have it down to the level of the ceiling yet. He has done nothing about that. He is looking at an issue that is also important, but people cannot buy and cannot afford their car insurance now.

He quite rightly acknowledges here that even Dr. Slater has not said that examining and going to a form of no-fault system will reduce costs, but there has to be something in the meantime. To have a one-man commission look at this issue for a year is too long. If the minister has any time allocation available to him and the advisory committee he is talking about, it should be sooner. I hope the advisory committee is broadly based, with members from the industry and without, and not all Liberals.

Mr. Swart: This statement by the Minister of Financial Institutions Relations on the appointment of another person to study auto insurance has to be the most bizarre statement ever made in this House. It has been two years since this problem arose. Although we prodded him every week, it took the minister six months to recognize there was a problem. Then he appointed the Slater task force and gave it three months. Then there were three months to respond to that. Then there were three months of doing nothing. Now we have another year's postponement before there will be any action, simply because there is conflict in the cabinet and the minister cannot get it through.

How do we know that this appointment, this son of Slater, will be the last study? Will there be

a son of the son of Slater at a later point? There is not a word in the minister's statement about the urgency of resolving the horrendous problems. Many of them can be resolved by regulation. He does not even mention the problem of arbitrary cancellation or refusal to renew insurance, discriminatory rate increases applied for frivolous reasons, all drivers in the household penalized because of one driver's record, and young male drivers with good records victimized by rates three or four times the average, and so on.

It is disgraceful that he is not going to deal with it in this House for at least another year. I want to tell him we are not going to let the issue die. We will battle in this House for action on these massive problems now. We will tell the story in this House and across this province that there is an alternative and that alternative is public auto insurance. He is holding the people of this province up for ransom.

VISITORS

Mr. Speaker: I would like to inform the members that we have two guests in the Speaker's gallery. We have the Deputy High Commissioner from the United Kingdom, Nigel Wenban-Smith, and the Consul General, Brian Sparrow. Please join me in welcoming them.

Now if I can have order again, it is time for oral questions.

Mr. Grossman: Forgive me, Mr. Speaker. I am still out of breath from the last statement. I want to commend to you, to the Lieutenant Governor and to the government the option of having the member for Welland-Thorold (Mr. Swart) read the throne speech.

Mr. Swart: Let me write it.

Mr. Grossman: Make me an offer. We can talk later. You see, you missed your chance.

Mr. Speaker: Now can we get back to questions?

14:42

ORAL QUESTIONS

DEVELOPMENTALLY HANDICAPPED

Mr. Grossman: I have a question for the Minister of Health. The House has been discussing for some days the problems that have been faced in nursing homes, and everyone is well aware of the fact that in certain circumstances the conditions are frightening.

I would like to raise one aspect of this that has not been talked about very much, and that is the fact that there are today 72 developmentally

handicapped who are residing in those same nursing homes. The minister knows the problem, and I know he will agree with me that every day that passes when we have 72 developmentally handicapped young people living in, of all places, nursing homes, we have a very critical situation.

Can the minister tell the House when he is going to begin to move these young people out of nursing homes and into places where they more properly belong?

Hon. Mr. Elston: The question has been with us for some time, and the honourable gentleman will know it is one that has been studied for quite some time. Together with the Minister of Community and Social Services (Mr. Sweeney), I am putting together a way in which we can address that question.

In fact, my colleague answered a question from the third party last week concerning very much the same issue. He indicated that within 18 months progress would be made; and I think the honourable gentleman would probably like to see us make progress as quickly as possible, as all of us would. I do not think there is any disagreement among us that those people should be moved into other facilities.

Mr. Grossman: We know of the minister's ability to stand up in the House and express concern and assure the House he is worried about it and is trying to do something about it. However, he now has in hand the Touche Ross report of 1984. He has in hand a report of September 1985 from the Ontario Association for the Mentally Retarded. He has in hand the 1986 Nursing Home Residents' Complaints Committee report. Each of these discusses the need to move this problem into the Ministry of Community and Social Services and to co-operate with that ministry to get those young people out. I say to the minister in all sincerity that he has had 16 months. He has all the reports. Days go by when these young people languish without sufficient programs or care.

Mr. Speaker: Question, please.

Mr. Grossman: In the past few weeks there have been three deaths of developmentally handicapped young people in Ontario who were living in these nursing homes. Does the minister not agree with me that whatever the bureaucratic problems and whatever the squabbles over money, the prudent thing to do today is to move the children out of the nursing homes while the jurisdictional fight between the two ministries is resolved?

Hon. Mr. Elston: If the honourable gentleman had listened closely to the answer provided by my colleague the Minister of Community and Social Services, he would know that he indicated there was no disagreement between our ministries on this point. The reports were available to him, as they were to us. Each of us has agreed that should take place. The minister stood in this House last week and indicated a program was being implemented to move these people from the facilities. This will be carried out. I commend to the member following up on the efforts of my colleague in the Ministry of Community and Social Services and activity in the Ministry of Health.

Mr. Grossman: The response of the minister's colleague last week was that he hoped to get it done in a year or a year and a half. If the Minister of Health takes the position there is no jurisdictional dispute, and if he believes no financial impediment is being put up by the Treasurer (Mr. Nixon), why does he not move today, before there are more deaths, to get the children out of the nursing homes and into some sort of setting until this program can be completed? Why does he not do it today?

Hon. Mr. Elston: The member will perhaps remember some of the statements he made about this in his previous incarnation as Minister of Health. In his sojourn in this position, his concern was never converted into practice. I commend to him the fact that this government converts its concerns into action. I have faith in the activities of my colleague the Minister of Community and Social Services to move to implement this program.

We do not require a whole series of reports to pile up. We have been making efforts to implement the movement of these people from those facilities. We are committed to it and it will get done. One of the people who is most in support, as we work in implementing these programs, is our colleague the Treasurer.

EDUCATION FUNDING

Mr. Grossman: In the absence of the Premier (Mr. Peterson), I have a question for the Minister of Education. Can he tell the House—I am sure he will have the answer—what percentage of total expenditures for elementary and secondary school expenditures the province will be funding this year as a result of the announcements made earlier this week?

Hon. Mr. Conway: On the data we have, the province will be underwriting about 54 per cent of the approved expenditures for elementary and

secondary education; and overall about 45 or 46 per cent of the expected expenditure, to which I think the honourable member's question probably makes more direct reference.

14:50

Mr. Grossman: In the middle of the election campaign, on March 29, 1985, under the headline "PC Swindles Students," an undertaking was reported to be given by the leader of the Liberal Party.

The Treasurer (Mr. Nixon) should just hand the minister some money, not advice; that is what we need.

The item said: "Peterson said a Grit government would increase provincial subsidies for local schools from the current 47 per cent"—which it was—"to 50 per cent over five years."

Hon. Mr. Scott: Let the member for Don Mills (Mr. Timbrell) ask this question.

Mr. Grossman: We know we are getting to them when the Attorney General (Mr. Scott) tries to get involved.

How can the minister explain the fact that, according to information we got from his staff this morning, the percentage has dropped from 48.7 per cent in 1984 to 46.6 per cent in 1985, and to an all-time low of 44.9 per cent this year, notwithstanding the earlier commitment of the Premier?

Hon. Mr. Conway: What did the Leader of the Opposition do while he was Minister of Education? According to this book, when he was Minister of Education, he spent all his time avoiding the tough issues in education. That is what this book suggests.

What has this government done? Under the leadership of this Premier and with the help of this Treasurer, our government has substantially increased the provincial grant to school boards. Last year we increased the grant by 5.4 per cent, with four per cent inflation. This year we will be increasing the operating grant by six per cent. We have doubled the capital allocation for 1987 over 1985. We have provided specific enrichment for affirmative action, for the computers in education program and for distance education.

We will not be able to turn around overnight the decade of neglect to which the honourable gentleman makes reference, but unlike the Leader of the Opposition, who it is reported in this book took great pains not to take the tough decisions, we are facing the reality, we are committing the dollars and we are making the decisions that are going to provide for excellence in education in this province.

Mr. Ashe: On a point of order, Mr. Speaker: Is it possible under our rules of order to allow Pinocchio in this chamber?

Mr. Speaker: Order.

Mr. Grossman: The Attorney General will want me to remind the Minister of Education that the people of Ontario are watching this afternoon.

The Minister of Education cannot hide behind Rosemary Speirs or selected readings from political books in Ontario when it comes to answering the basic question. We are not going to let the minister run and hide behind Rosemary or anyone else. My question is a simple one. Notwithstanding his leader's guarantee that in five years the provincial share would rise to 50 per cent, does he think it is appropriate that the Ministry of Education's share of total expenditures should have dropped to 44.9 per cent from 48.7 per cent in the year and a half he has been in office? As the minister, does he think that is appropriate?

Hon. Mr. Conway: At 5:30 this morning, while the Leader of the Opposition was fast asleep, I was at my desk thinking of this question. I want to say to him that after 16 months I am quite prepared to stand on our record. Our record is a record of commitment and of real dollars, and it will not be possible for this minister, this Premier and this Treasurer to correct overnight what his people created over that decade.

In the next few days, when we announce the specifics of how we will double in 1987 the capital allocation made available by his government in 1985, it will be clear to the school boards that, unlike the previous government, this government is putting real dollars to the real challenges in education, and we are prepared to stand on that commitment.

Interjections.

Mr. Speaker: Order.

Mr. Rae: It sounds as if 1987 is going to be a hell of a year. I want to see the Liberal caucus stand for these answers.

EXTRA BILLING

Mr. Rae: I have a question for the Minister of Health. In his press release on the question of uninsured services, and we have not been in the House together since then, he stated, "I am encouraged by the OMA's position that standby charges and excessive administrative fees are unacceptable."

In a phone conversation with a member of my staff this afternoon, Dr. David Peachey, who I understand is the Ontario Medical Association's director of professional services, explained the OMA's position on standby fees. He said, "The OMA is not opposed to standby fees as Mr. Elston suggests." It is opposed only to "excessive and inappropriate standby fees." The minister has been left out to dry, and I want to ask him a question dealing specifically with that.

Does the minister regard a standby fee of \$500 by an obstetrician as inappropriate or excessive? Is \$250 inappropriate or excessive? Is \$125 inappropriate or excessive? Where are the patients of Ontario supposed to go when they have disputes with their doctors about what is inappropriate or excessive? Why does he not do the decent thing and say that all these additional extra charges are against the law and ought to be ruled out?

Hon. Mr. Elston: I thank the honourable gentleman for raising the question. I have not spoken to Dr. Peachey. It was my understanding that all of us had agreed together that standby charges such as that, which militate against people accessing health care, were not to be tolerated.

I will tell the member what I said the last time he raised the question. I do not think it is appropriate for people who are treating patients who are pregnant and going to deliver children to require payment of standby fees for a delivery. I believe it is part of the service that someone requires when she goes to someone with respect to a pregnancy. I repeat my indication that I do not think standby fees are appropriate.

I will also tell the honourable gentleman that when people have difficulties or problems with that, they know they can come to the Ministry of Health because we will deal with the situation as we are advised of it, and we will assist those patients in those situations.

Mr. Rae: We now have a situation that is even more confused after the minister became involved in it than it was prior to his involvement. We have a letter from the OMA which states for the first time—and it is not set out in any regulation that comes under the authority of the minister—that consultations by doctors with other doctors or other professionals are going to be chargeable to patients at the rate of \$120 an hour.

Let us take as an example those doctors who are participating in the laboratory-initiated foetal emplacement program, where as we know a charge of \$500 is being proposed and has been imposed on patients: does the minister not realize

that the doctors could well claim that figure covers simply the kind of consultation they have between and among themselves with respect to the progress of the treatment of the patient?

Does the minister not realize that rather than closing the floodgates, he has opened the floodgates for even more extra billing, more than we have ever seen in the history of Ontario, thanks to his intervention?

15:00

Hon. Mr. Elston: I think the honourable gentleman would like to take credit for the passage of Bill 94, along with all of us here in this Legislative Assembly. He knows we have taken steps to take care of those extra charges that do prevent people from accessing insured services.

The honourable member will know that under the auspices of Bill 94, we do have a way in which we can deal with those incidents where patients have been extra billed. Those situations will be addressed and dealt with effectively under Bill 94. When we have the details of each specific incident, we will send out declarations. Declarations will then be filled in and received by us, and we will reimburse those people who have been extra billed.

The member knows that, and I know that. I would like him to help us get the message to the public that they can come to us, that we will reimburse those people who are extra billed and that we do have mechanisms under Bill 94 with which to process the problems that patients bring forward to us.

Mr. Rae: The minister is making exactly the same speech that he made prior to Bill 94 and that the previous Tory incumbents made with respect to all the issues we raised on extra billing. It is exactly the same statement: "If you have a problem, bring it to us and we will try to solve it." That was the OMA position. That was the position of the member for Don Mills (Mr. Timbrell). That was the position of the member for St. Andrew-St. Patrick (Mr. Grossman) when he was the Minister of Health.

We now have a government that says it is going to ban extra billing. My question to the minister is, why does he not do it? Why does he not establish a definition of extra billing which means patients are not going to be hit with additional charges every time they turn around and try to see a doctor in Ontario?

Hon. Mr. Elston: The honourable gentleman will know that one of the parts of Bill 94 that formed part of an amendment that was put through this House was the fact that patients do not have to pay in advance—they do not have to

pay until they receive reimbursement from the Ontario health insurance plan—and there are ways in which patients have independence of judgement. I commend the mechanisms of Bill 94 to the people of Ontario to use to assist them in coming to grips with any incident that appears to be extra billing.

The honourable gentleman will know there are no doubt some creative ways being tried by some members of the profession. We are willing to deal with those when we find out about them. I can tell the member we have had, for the first time, a statement from the association that it does not condone those creative and outlandish situations.

Dr. Peachey may be a particular spokesman. I read the letter from the president, Dr. Railton, and it appeared to be much clearer than that.

Mr. Rae: It is clear who runs the question of extra billing. It is no longer being determined by the Minister of Health. It is now being determined by the OMA, and we know what its position is with respect to extra billing.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Rae: My second question is to the Minister of Labour with regard to questions of occupational health and safety. The minister has made a point in a number of recent announcements of saying how many new inspectors he is going to hire and what kind of crackdown we are going to see from the government with respect to health and safety.

I would like to ask the minister about a particular case, just so he can perhaps put the crackdown that is going on into some perspective. It is the case of Pro Electric in London.

On February 21, 1986, which is while the minister was the Minister of Labour, a Pro Electric employee was critically injured as a result of a fall from a scaffold that apparently did not have proper access ladders and railings. The inspector had issued a stop-work order to Pro Electric on February 12, 1986, for the same scaffolding contraventions; that is to say, nine days earlier. He had also visited Pro Electric to follow up on its compliance on February 19, two days before the accident.

Can the minister explain why, when the inspector wrote a report recommending prosecutions against the foreman and the employer for the critical injury of Mr. Groot, those recommendations were not proceeded with? Perhaps I can draw from that another question: what is the point of appointing new inspectors if, when the inspectors suggest and in fact say a prosecution

should proceed, it is the position of the ministry that no prosecutions will be going ahead?

Hon. Mr. Wrye: In the first instance, in general, the honourable member will want to remember that we have had recommendations to the legal branch for prosecution—that is, recommendations that are proceeded with through the inspectorate, through its supervisory personnel, often through the line branch and to the legal branch—which in the first five months of this year are 155 per cent higher than in the same period in 1985; specifically, almost 300. We expect that by the end of 1986 we will have recommendations to prosecute numbering almost 700. I am very grateful to the Treasurer (Mr. Nixon) for allowing extra resources to be given to the legal branch.

With regard to Pro Electric, the leader of the third party will know that is one case Mr. Laskin is currently reviewing, and it would be appropriate for him to await Mr. Laskin's findings in this regard.

Mr. Rae: In the north we had government by Coopers and Lybrand; now we have government by Laskin. The consultant is going to vary day to day, but we are entitled to get answers from the Minister of Labour for activities that have gone on under his ministry while he was the minister with respect to recommendations made to his ministry. We are entitled to those answers.

I would like to raise another case, that of Mike's Window and Floor Cleaners, again in London. The inspector issued orders and recommended charges be laid after one man by the name of Jeffrey Pritchard fell to his death. That was more than two years ago. Charges were never laid. Two years later, in September 1986, another employee fell while cleaning windows and was critically injured.

Mr. Speaker: Question, please.

Mr. Rae: Will the minister explain why charges have still not been laid in this case?

Hon. Mr. Wrye: I will have to check into the status of the 1986 case. As I said in answer to the member's first question, the case of Mike's window cleaners is one of what I believe are 27 matters the Ontario Public Service Employees Union raised with Mr. Laskin. It has had an opportunity to review those carefully with him, and Mr. Laskin will have an opportunity to respond.

It is very easy to make allegations of inaction, but those allegations become a little weaker when one looks at the fact that this government has said to the leader of the third party, to his seatmate to

his left and to all members of the House that if there are issues in which a member thinks there has been impropriety and misconduct, he or she should bring those matters to Mr. Laskin. I am pleased that a number of people have done so and that right now Mr. Laskin is looking at some 71 cases. I look forward to his report.

Mr. Rae: I have a great deal of respect for Mr. Laskin, as many people do. That is not the issue. The issue is that we have a minister here who is hiding behind an inquiry that is going on, one that does not have the power of subpoena, the power to require the production of documents and the power to demand cross-examination under oath. Therefore, the minister should not talk to me about an inquiry. That is not an inquiry. It is a one-person study that does not have any of the basic legal requirements of any study going on under the Public Inquiries Act of the province.

Can the minister explain why almost 90,000 workers were injured on the job in the first six months of 1986, which is the worst in the history of Ontario? Can he explain why 5,395 orders were issued to companies in 1985 and only 292 charges were laid, with only 69 leading to successful convictions? Can he explain why 85 per cent of the injuries resulting in death between July 1985 and June 1986 have not led to a prosecution? Can he explain why only 15 per cent of the deaths have led to a prosecution?

Hon. Mr. Wrye: There were a number of questions. I will deal with the last.

The fact of the matter is that in some of those deaths, regrettably, it was determined that the worker was at fault. The member knows that, and I know that. Those fatalities are carefully reviewed. Certainly there is no work place tragedy so great as a fatality. All members of the House will agree that, where it is appropriate, a full and vigorous prosecution should commence as quickly as possible.

15:50

We are moving as quickly as we can to a new regime, to a new era of health and safety. I acknowledge that the improvement has not been in every place and everywhere as great as I had hoped. I acknowledge readily that I am as disappointed as the honourable gentleman is, and as every member of the House is, that we have had the accident rate we have had in the first part of this year. I am determined that it is going to go down and that we are going to reverse the trend as quickly as possible. That is why we have 13 new safety inspectors for the construction branch. We announced that yesterday and we will be making

many other announcements in the months to come.

AGRICULTURAL FUNDING

Mr. Stevenson: I have a question for the Minister of Agriculture and Food. What method of allocation maximizes Ontario's share of the \$1-billion deficiency payments coming from the feds and what method of allocation is the minister proposing in the splitting of those funds?

Hon. Mr. Riddell: To my knowledge, that decision has not yet been reached by my federal counterpart.

Mr. Harris: What are you proposing? It is a simple question.

Hon. Mr. Riddell: When I answered the question earlier in the week or last week, when the same question was asked, I indicated that the deputy ministers had met in Ottawa and that they had come to an agreement that the allocation would be on the basis of the tons of crops produced in each province. I do not know whether Mr. Wise is giving any consideration to that decision, but we feel it is the fairest way of allocating that \$1 billion throughout the country.

Mr. Stevenson: As a result of the United States Food Security Act, the total loss to farmers is estimated at close to \$3 billion. Will the minister be doubling the federal funds in the allocations to Ontario farmers?

Hon. Mr. Riddell: No, we will not be doubling the funds, but if the member cares to look at the figures, he will find that throughout the country we are not too far off the \$4 billion that the Ontario Institute of Agrologists recommended in its report by way of subsidy to farmers. If the member looks at the programs we have introduced in this province, he will find we have spent about \$400 million to subsidize farmers in one way or another. If other provinces do the same and we add the \$1 billion from the federal government, the member will find we are not very far off the \$4 billion the OIA reported was needed for the farmers of this country. He should take a look at the figures.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question for the guardian of the swamp regarding Queen's University.

Mr. Speaker: Which minister?

Mr. Martel: Pardon me; the Minister of Labour.

On November 25, 1985, a cleaner at Queen's University was critically injured when he fell through a skylight he was cleaning. The inspec-

tor found the university failed to provide the cleaner with a fall-arresting device. On December 3, the inspector issued orders and recommended charges be laid. After the ministry held a mediation meeting with the university, which should not have been held, the charges were dropped. On April 15, the legal branch was told not to proceed with the prosecution. Can the minister tell us why the ministry failed to prosecute the university when, as a result of its negligence, a man was critically injured?

Hon. Mr. Wrye: We can go through the list. We can go through all 71 and the answer is going to be the same. This answer is that this is a matter being looked at by Mr. Laskin. We take these matters very seriously. The last information I have is that of the 71 matters—I believe 72 matters—Mr. Laskin has already written up his findings on 45 to 50. I believe he feels he has disposed of most of them. We are quickly reaching a conclusion. I will share the results of the Laskin findings with my honourable friend and with all members of the House. I will lay them on the table and we will see at that time. I remind my honourable friend that all the facts he puts out are allegations and these allegations are unsubstantiated by those who might have a different point of view.

I hope my friend will be fair-minded enough, as I know he is, to wait until all matters are laid forward to see whether there has indeed been something improper there.

Mr. Martel: The minister does not want to answer the question, but I have the documentation on these cases, and it is his responsibility as minister to get up here and answer them and not try to hide behind Mr. Laskin, who is doing a little private inquiry on the minister's behalf.

Does the minister not realize that in 62 per cent of the cases being handled by his ministry charges were withdrawn either through plea bargaining or through decisions of his ministry not to proceed? Can the minister explain why the ministry bargained with the university instead of prosecuting in this case?

Hon. Mr. Wrye: We are going to let Mr. Laskin provide answers and the appropriate response to that, but I say to my friend who keeps making comments about a private little inquiry that the inquiry and the method we have set up to respond to allegations, which this minister and this government take very seriously, and many of which are years old, is endorsed by a lot of people, including the president of the Ontario Federation of Labour, the head of the Canadian Auto Workers and the head of the United

Steelworkers, District 6. I just remind my friend of that.

Mr. Martel: You will not answer the question. You do not have the courage.

Mr. Speaker: Order.

PROVINCIAL SYMBOL

Mr. Rowe: I have a question for the acting Chairman of the Management Board. Can he tell this House why in April 1986 his government commissioned a study that has or will cost Ontario's taxpayers between \$30,000 and \$40,000, to make recommendations regarding the need for new government symbology, thus doing away with the official government symbol, which is the provincial flower, the trillium?

Hon. Mr. Nixon: I really am not aware of such a study. The member will remember with great pleasure the publication of the Province of Ontario Financial Report 1986 with that beautiful red trillium on the front. I can assure him there is no thought of abolishing the trillium as a provincial symbol. I will, however, inquire at Management Board about the review the honourable member is waving around.

Mr. Rowe: On page two of the report it says, "and to make recommendations regarding the need for new symbology for the province."

I would like to take the acting chairman through a short history lesson. He will no doubt recall a provincial Premier named Mitch Hepburn and a registrar named Harry Nixon. The year was 1937. The trillium was adopted as the official provincial flower. I say to the acting chairman that it was good enough for his father and it has been good enough for the people of this province for 49 years. Why has his government squandered \$40,000 in an attempt at the most crass political move that has been seen in the history of this House?

Hon. Mr. Nixon: The honourable member's great-grandfather was the Leader of the Opposition in those days and a very fine one he was. He was the only Leader of the Opposition in the Tory party who never became Premier—until now.

The member's party knows all about symbology. I have never heard that word before, but is it not a beautiful one? The member and his colleagues have adopted the symbols of the provincial rock, the provincial tree, the provincial bird and the provincial insect; they are all there.

We have many symbols on which we can draw on a wide spectrum, that were approved by the honourable member and his colleagues in the

dying months of that unlamented government. The member has asked for some details about a report, and as acting Chairman of the Management Board I will provide them.

15:20

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: This may come as a surprise, but I have another question for the keeper, the guardian. Is the minister aware that charges were laid against Adanac Lock and Safety and Wajax Industries Ltd. because of the fatality involving a worker installing a bank vault in Mississauga in 1985? The court date was set for the—

Mr. Speaker: Order. There is a point of order. Is this question to the Treasurer (Mr. Nixon) or to the Minister of Labour?

Mr. Martel: The keeper of the swamp. I apologize, Mr. Speaker. It is to the Minister of Labour.

An hon. member: There is only one swamp, is there not?

Mr. Martel: I thought there was only one swamp, but if there are two that is a new discovery.

Mr. Foulds: The Treasurer is in a different swamp.

Mr. Martel: Is the Minister of Labour aware that charges were laid against Adanac Lock and Safety and Wajax Industries Ltd. because of the fatality of a worker installing a bank vault in Mississauga in May 1985? The court date was set for December 1985, but the ministry prosecutor did not inform the inspector of the trial date and the prosecutor failed to appear. New charges were laid in January, but Adanac appealed on the ground that the nonappearance of the prosecutor from the Ministry of Labour prevented further proceedings against the company and the judge dismissed the case.

Can the minister tell me why the prosecutor failed to appear at that hearing?

Hon. Mr. Wrye: I am aware that my friends in the third party have now raised five of the 71 cases. I am also aware of the details of the allegation, which were provided by the Ontario Public Service Employees Union to Mr. Laskin. I had a chance to read the OPSEU brief carefully and, as did my friend, I read a number of the cases with a great deal of concern and worry about the allegations.

Some of the issues that were raised were deeply troubling. Nevertheless, given the very high quality, the outstanding reputation and outstanding abilities of Mr. Laskin, since the

government had put in place an inquiry to have Mr. Laskin investigate these and others, I felt it was appropriate to allow the inquiry to take place rather than fully investigating them myself.

I note the leader of the third party speaks very highly of Mr. Laskin, and it is appropriate for him to do so. I am sure Mr. Laskin will get to the bottom of this case, as he will some of the others.

Mr. Martel: We are not being critical of Mr. Laskin; so get off it. Simply put, the question was, why did the prosecutor not appear?

Let me ask another question about a similar case. An inspector of a company called Deep Foundations investigated an incident and recommended charges. Charges were laid and, again, no ministry prosecutor appeared and the charges were dismissed. The minister can hide behind Laskin all he wants. I want to know why the ministry prosecutor did not show up in two cases. The minister does not have to hide behind Laskin to tell us that.

Hon. Mr. Wrye: I regret my honourable friend appears to believe there is some difference of opinion between us.

Mr. Rae: There certainly is.

Hon. Mr. Wrye: I do not think there is. I have every bit as much a concern and deep regard for the health and safety of workers in the work places of Ontario as does my friend, as does any member of that party—

Mr. Rae: The minister does not know what he is doing.

Hon. Mr. Wrye: —including the leader of the third party, who continues to make those kinds of comments.

The matter of Deep Foundations again raises a very serious concern. I think the member might applaud the fact that this government has put in place an individual who will not only check to see whether there is impropriety but also put in place the kinds of mechanisms that will ensure in the future that we will not have these problems.

The prosecutions, when appropriate, are carried forward in an appropriate and timely fashion.

Interjections.

Mr. Speaker: Order.

ROBERT SMART CENTRE LABOUR DISPUTE

Mr. Cousens: I have a question for the Minister of Community and Social Services pertaining to children. Our leader asked a question about the 72 developmentally handicapped children in nursing homes. There was no

answer there. I hope there is an answer from the minister on this important question.

Hon. Mr. Elston: The member is wrong again.

Mr. Cousens: There have been no answers all afternoon, and the people of Ontario are beginning to be concerned. The question is a simple one. What action, if any, is the minister or his ministry taking to help resolve the month-long strike at the Robert Smart Centre in Ottawa?

Hon. Mr. Sweeney: Our prime concern in that strike, as in any others, is the safety of the children. That is being looked after by supervisory staff of Robert Smart and monitored on a daily basis by the staff from my Ottawa area office. We are assured that the children and their needs are being handled. Some of them are being handled at the Robert Smart Centre; some have been returned to their families; and some are being dealt with at the Royal Ottawa Hospital. That is our responsibility. It is not our responsibility to intervene directly in the negotiations.

Mr. Cousens: That is unsatisfactory. We are talking about a very serious strike in Ottawa, dealing with a centre where there is a 40 per cent staff turnover a year; we are talking about staff who are receiving below-average wages; we are talking about a high-risk environment and now a month-long strike. Five of seven group homes are closed down. We are talking about seven children who were previously under the care of the centre and now it is not known where they are.

How many children does it take for the ministry to get involved? Seven times seven times seven? How long is the minister going to wait before he is going to do something to help those children? He has lost out on the money from the Treasurer (Mr. Nixon). Why does the minister not start getting some money to put in that place, which is 95 per cent funded by his ministry?

Hon. Mr. Sweeney: To the best of my information, it is not correct that there are any children, including seven, whose whereabouts are not known. My area office knows where each of those children is. They are in their homes, at the Robert Smart Centre or at the Royal Ottawa Hospital. In each case, his or her welfare, progress and needs are being met by competent professionals. I am not and cannot intervene in a strike where there is an independent, autonomous board that has received a funding allocation from my ministry and that must decide in

negotiations with its employees how those funds will be distributed.

DOWNSVIEW REHABILITATION CENTRE

Mr. McClellan: I have a question for the Minister of Labour, who will recall that on October 15 the Workers' Compensation Board established a commission of inquiry into the Downsview rehabilitation centre as a result of charges that were made by Ray Lebert of Local 444 of the Canadian Auto Workers, charges involving inadequate patient activity, professional misconduct, including sexual abuse by staff, professional incompetence and inadequate administrative procedures at the health and rehabilitation centre in Downsview, run by the Workers' Compensation Board.

As three weeks are up and the report is due today, I would like to ask the minister why this inquiry into these allegations was carried out by a team which included the director of the Downsview rehabilitation centre, Dr. Ed Kummel, who said on October 2 that he was shocked by the allegations but also said: "A little bum-pinching takes place here and there, but nothing serious. I consider that part of life."

Why did the minister permit this gentleman to undertake this inquiry?

15:30

Hon. Mr. Wrye: The honourable member suggests Dr. Kummel is the only individual involved in the inquiry. As the member knows, the two additional members of the inquiry team are women; one is a board counsel and the other is the human rights advocate for the board. I am told, and it is my understanding, that as recently as last week there were interviews with those who raised the allegations, as reported by Mr. Lebert. We are conducting interviews with the individual patients in Windsor. I hope we will be able to get to the bottom of some very serious allegations. I can only say about Dr. Kummel's comments that they were inappropriate and offensive. I think all members of the Legislature will agree with me.

Mr. McClellan: They were inappropriate and they were offensive. One may say they were sexist, disgusting and degrading, yet the minister permitted this gentleman to preside over the inquiry. My question stands. Why on earth did the minister have so little common sense and so little sense of his own responsibility as to permit this to happen? Why did he attack Mr. Lebert in the Windsor newspapers? The minister is quoted as having blasted him for making one-sided criticisms in the midst of this so-called commis-

sion of inquiry. What interpretation is there other than that this is a whitewash and that the minister has no intention of getting to the truth of these allegations?

Hon. Mr. Wrye: I am sure the independent, external board of directors of the Workers' Compensation Board, a board that includes the likes of Gérard Docquier, Joseph Duffy and Charles Clark, all of whom my friend knows are outstanding trade unionists, would never tolerate a whitewash. I am sure they will not. The board of inquiry that has been set up was set up by Dr. Elgie, who as my friend knows is the chairman of the Workers' Compensation Board. The inquiry is being carried out into some very serious allegations.

I regret that my friend opposite thinks individuals who go to a place such as Downsview and smuggle in alcohol and trade pills somehow have absolutely no responsibility for those actions. I guess that is the difference between he and I, perhaps between that party and this party, as we take the responsibilities of individuals very seriously.

Interjections.

Mr. Speaker: Order.

Mr. Gregory: Is there any order in this House, Mr. Speaker? I have a question of the Minister of Revenue, who was lurking under the balcony.

PROPERTY ASSESSMENT

Mr. Gregory: Over the past few days, members of my caucus and I have repeatedly asked the government to release the individual property assessment reports for the 305,000 home owners in Metropolitan Toronto who face increased property taxes. We have yet to receive an acceptable answer.

On October 26, the minister was reported in the Toronto Star as indicating that the government would release the data when Metro council endorsed market value assessment. At the October 28 meeting of Metro council, support for the plan was given in principle and a number of councillors and aldermen requested that the province release the individual property assessment reports.

As Metro council has not only endorsed the plan in principle but also requested the release of these individual reports, when does the minister plan to release this information?

Hon. Mr. Nixon: I am sure the honourable member, having had responsibility for the assessment policy, will understand that releasing

house-by-house assessment data is a matter that could have a negative impact on the assessments as far as the revenues of the city are concerned. It does not affect our provincial revenue in any way. I made it clear that I felt it was not in the best interests of the taxpayers or the municipality to release that information but that my officials were dealing with the officials of the city in this matter.

I am surprised that the former minister raises it again. He must have been in the House yesterday when this was debated and his colleague the member for Durham East (Mr. Cureatz) supported my policy and said he thought it was the right thing to do. Once again, it is difficult to know where the Tories stand on this matter.

Mr. Gregory: I am sure the Treasurer can tell from my question where I stand and what I am trying to get from him. The Treasurer is obviously afraid to release these reports. He knows there is a great uncertainty among many home owners, who fear they will be unable to absorb the increase and will be forced to sell their homes.

We know that 777 home owners in Scarborough's ward 9 will see their taxes increase by more than 1,000 per cent, while 266 home owners in North York's ward 9 will also see their taxes increase by more than 1,000 per cent, or an average of \$1,908. Home owners in these two wards and throughout Metro have a right to know how their property taxes will be affected.

Will the minister stop playing Russian roulette with the home owners and give them some advance warning by releasing these reports immediately?

Hon. Mr. Nixon: The honourable member should be arguing with the members of Metro Toronto council. I indicated I was not going to force reassessment on the cities of Metro Toronto, and I do not believe the House would have supported such an effort if I had brought it forward. After hours of debate, the council indicated by its vote that it was requesting consideration be given to reassessment. They have not put any immediate time line on it. They indicated that they wanted us to review financing of Metro programs over three years. They want the data available, not on a house-by-house basis but on the basis of regions and classes, which is exactly what we can make available.

I know the member will ask the question on Monday. I do not mind that, because it is his time as well as mine. Our officials in the assessment area of the Ministry of Revenue are dealing with the officials in the Metro Toronto government,

and we want to co-operate in every reasonable way we can.

HIRING PRACTICES

Mr. Mackenzie: I have a question of the Minister of Labour. Is the minister aware of the battery of tests that new applicants for employment are being subjected to at the American Motors (Canada) Bramalea plant? Following a screening by the federal Department of Employment and Immigration, they are required to submit to back X-rays, aptitude tests, manual dexterity tests and drug testing. Does the minister condone this practice, which seems to be leading to an elitist work force in the plant?

Hon. Mr. Wrye: I was aware of the proposal by American Motors to do drug testing. The issue that raises is a very complex one, as I think my honourable friend will agree. I notice the president of the Canadian Auto Workers, while he undoubtedly condemned the practice—and I saw some of his comments—raised the concern about the appropriateness of drug testing in some extreme cases where health and safety was involved.

I have asked my colleagues the federal and provincial ministers of labour to look at this matter on a priority basis when we meet at the end of this month. I have sent a telegram to Pierre Cadieux, the federal minister, and to Pierre Paradis, the host of the conference, asking that the matter be added to the agenda. It is a very important matter, and I intend to take it up with them. On my return, I intend to raise this matter with my cabinet colleagues.

Mr. Mackenzie: Does the minister not realize and agree that this is a serious violation of individual human rights? It is not voluntary on the part of the workers. The applicants have no avenue of access to the results, they do not have an appeal procedure, they can be vulnerable to the information getting out into the community and being spread and they can be weeded out by something as simple as a curvature of the spine. There is no second opinion, and the company's decision is final. Surely the minister must be prepared to act now and not be firing a battery of wires around the province to decide whether he should stop this nefarious practice.

15:40

Hon. Mr. Wrye: The honourable gentleman raises a very good point with regard to the protections that workers must have. Companies will undoubtedly argue they have a right to ensure that members of a work force, many of whom will be working with heavy equipment,

are medically capable and medically fit to do that work.

There is no doubt the matter the member raises is an important one; that is, the right of employees, first of all, to have absolute privacy in any medical testing; and second, to be able to know what the testing showed and to appeal any findings that might be faulty. It would be entirely unfair if a worker who was looking for a job at the new plant or anywhere else were to find he was unsuccessful in getting the job because of some findings which later turned out to be wrong.

I will raise the matter as quickly as possible with the Canadian Auto Workers, which I would have thought would have the matter in hand, but we will look at the policy implications of what is happening at the AMC plant.

LANDFILL SITE

Mr. Dean: I have a question for the Minister of the Environment. Can he explain why this government received, last May, the final study of the Upper Ottawa Street landfill site, which is located in my riding in Hamilton, and yet did not release it until Tuesday of this week? In view of that and of the measures recommended by the study to be undertaken right away, will the minister commit to act immediately on the recommendations of the report to protect the residents of this area?

Hon. Mr. Bradley: The question should actually go to the Minister of Health (Mr. Elston). I realize he is not in the House at present. I will speak to the minister about the former question.

Mr. Harris: You covered it up. You are the one who covered it up.

Hon. Mr. Bradley: The member for Nipissing should not make accusations of that kind.

I will be reviewing the recommendations that were made, as will the Minister of Health, whose ministry asked for the report to be undertaken, the Minister of Labour (Mr. Wrye), because there are some occupational health and safety aspects to it, and the regional municipality of Hamilton-Wentworth, because most of the recommendations in the report relate to the region and activities it can undertake. That kind of consultation will go on.

I would be happy as well to receive from the member any suggestions he might have that may be helpful in this instance. I know he has a special interest in it.

VISITORS

Mr. Harris: On a point of order, Mr. Speaker: I would like to introduce members of the best

curling team of northern Ontario who journeyed down here today to visit the Legislature. Messrs. Cantin, Minogue and Fayerchuk are in our gallery.

PETITIONS

SUNDAY RACING

Ms. Bryden: I have a petition opposing Sunday racing at Greenwood Race Track. It is signed by 131 persons who reside in the riding of Beaches-Woodbine.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Ontario Racing Commission in its hearing into the Ontario Jockey Club application for Sunday racing at Greenwood Race Track has ruled that it does not have the jurisdiction to hear the concerns of residents surrounding the aforesaid racetrack; and

"Whereas many residents have shown their concern with the impact of Sunday racing at Greenwood Race Track on their neighbourhood and have indicated their wish to voice their concern;

"That the government amend the Racing Commission Act to ensure that the rights and concerns of residents in the neighbourhood of the race track and in the surrounding community be considered and protected by the Ontario Racing Commission in setting racing dates, times and schedules;

"Further, that the legislation provide that the long tradition of no Sunday racing at Greenwood Race Track be maintained."

I support this petition.

BOUNDARIES ACT DECISION

Mr. Wildman: I have a petition signed by approximately 235 residents of St. Joseph Island, Sault Ste. Marie and other Algoma district communities.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and in particular the Attorney General:

"We, the undersigned, beg leave to petition the Legislature of Ontario as follows:

"That a complete review be made, including listening to the complete set of tapes of the proceedings of the March 21, 1984, and June 13 and 14, 1984, Boundaries Act decision made by Mr. James N. Gardiner, which adversely affected Mr. D. Nelson."

ORDERS OF THE DAY

House in committee of the whole.

FRENCH LANGUAGE SERVICES ACT

LOI DE 1986 SUR LES SERVICES
EN FRANÇAIS

Consideration of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

Etude du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

L'hon. M. Grandmaître: Monsieur le Président, avec votre autorisation, je préférerais m'asseoir à la première rangée avec trois de mes conseillers.

Le vice-président: Certainement. Faites-le.

L'hon. M. Grandmaître: Merci.

Mr. Wildman: On a point of order, Mr. Chairman: I said I was in agreement with the request of the minister, as I am sure all of us are, but I understand it is in order for the chair to ask for the agreement of the House for him to trade places.

The Deputy Chairman: Perhaps you are right. Is there unanimous consent?

Agreed to.

Le vice-président: Tout le monde est d'accord? D'accord.

I have amendments to the following sections: section 1, section 2, section 4, section 5, section 8, section 12, section 14 and section 15. Mr. Guindon has a previous one on section 15a; section 16, the schedule and the preamble.

L'hon. M. Grandmaître: Je proposerais un amendement au préambule. Je propose que le préambule—

The Deputy Chairman: I am sorry. The preamble has to be dealt with last. Le préambule doit être discuté à la fin seulement.

L'hon. M. Grandmaître: À la fin seulement?

Le vice-président: Vous devez commencer par l'article 1.

15:50

Article 1:

Le vice-président: L'hon. M. Grandmaître propose que la définition du terme "organisme gouvernemental" soit remplacée par ce qui suit:

"'organisme gouvernemental' s'entend des organismes suivants:

"(a) un ministère du gouvernement de l'Ontario, sauf que les établissements psychiatriques, les foyers et les collèges d'arts appliqués et de

technologie administrés par un ministère ne sont pas inclus, à moins d'être désignés par les règlements en tant qu'organismes offrant des services publics;

"(b) un conseil, une commission ou une personne morale dont la majorité des membres et des administrateurs sont nommés par le lieutenant-gouverneur en conseil;

"(c) une personne morale à but non lucratif ou une organisation semblable, qui fournit un service au public, reçoit des subventions qui sont prélevées sur les deniers publics, et est désignée par les règlements en tant qu'organisme offrant des services publics;

"(d) une maison de soins infirmiers au sens de la Loi sur les maisons de soins infirmiers ou un foyer de soins spéciaux au sens de la Loi sur les foyers de soins spéciaux qui sont désignés par les règlements en tant qu'organismes offrant des services publics;

"(e) un fournisseur de services au sens de la Loi de 1984 sur les services à l'enfance et à la famille ou une commission au sens de la Loi sur les commissions de district pour l'administration du bien-être social qui sont désignés par les règlements en tant qu'organismes offrant des services publics.

"Sont exclus les municipalités, de même que les conseils locaux au sens de la Loi sur les affaires municipales, à l'exception des conseils locaux qui sont désignés aux termes de l'alinéa (e)."

Hon. Mr. Grandmaître moves that the definition of "government agency" be struck out and the following substituted therefor:

"'government agency' means,

"(a) a ministry of the government of Ontario, except that a psychiatric facility, residential facility or college of applied arts and technology that is administered by a ministry is not included unless it is designated as a public service agency by the regulations,

"(b) a board, commission or corporation the majority of whose members or directors are appointed by the Lieutenant Governor in Council,

"(c) a nonprofit corporation or similar entity that provides a service to the public, is subsidized in whole or in part by public money and is designated as a public service agency by the regulations,

"(d) a nursing home as defined in the Nursing Homes Act or a home for special care as defined in the Homes for Special Care Act that is designated as a public service agency by the regulations,

“(e) a service provider as defined in the Child and Family Services Act, 1984, or a board as defined in the District Welfare Administration Boards Act that is designated as a public service agency by the regulations,

“and does not include a municipality, or a local board as defined in the Municipal Affairs Act, other than a local board that is designated under clause (e).”

L'hon. M. Grandmaître: La modification que je veux apporter, c'est simplement une précision au projet de loi, qui semblait être très ambigu. Les établissements psychiatriques, des foyers administrés, comme je l'ai mentionné, par un ministère, ainsi que les collèges d'arts appliqués, font partie du processus de désignation prévu par la loi. Alors, c'est simplement une précision au projet de loi pour le rendre plus précis.

M. Guindon: C'est surtout pour avoir un peu d'information ici. Moi, j'en ai un amendement à apporter au même article, et je me demande si c'est le moment de le faire ou si je dois attendre.

Le vice-président: Vous pouvez le faire, mais par contre, ce que vous devriez faire, c'est de l'écrire et de me le faire parvenir.

M. Guindon: Vous les aviez tous en fin de semaine.

Le vice-président: Vous l'avez déjà ici?

M. Guindon: Oui.

The Deputy Chairman: He has an amendment.

Proposez votre modification à l'instant.

M. Guindon: À l'instant?

Je propose que l'article 1 du projet de loi soit modifié par adjonction de l'alinéa suivant:

“(da) une université qui est désignée par les règlements en tant qu'organisme offrant des services publics, à la suite du consentement prévu au paragraphe 9(2).”

Le vice-président: Alors, on va se débrouiller, ça ne sera pas long.

M. Shymko: Pendant que vous vous débrouillez, est-ce que je peux poser une question au ministre?

Le vice-président: Au sujet de la modification à la loi?

M. Shymko: Oui.

Le vice-président: Oui, aucun problème. Allez-y.

M. Shymko: Je voulais poser une question au ministre et lui demander si les changements qu'il vient d'introduire viennent de l'intervention de l'Association canadienne-française de l'Ontario

et si on ne devrait pas complimenter l'ACFO pour sa sagesse, qui a produit le changement à l'introduction ou à l'explication du projet de loi?

L'hon. M. Grandmaître: Que ce soit les francophones, que ce soit l'ACFO, que ce soit qui que ça veut, on travaille en groupe et on ne se mange pas la laine sur le dos.

Le vice-président: Monsieur Shymko, vous avez d'autres commentaires?

M. Shymko: Je voulais dire qu'on les félicite enfin de cette coopération et on indique qu'on accepte cette assistance.

M. Pouliot: J'aimerais brièvement faire écho à ce qui a été dit, même si ça a été fait, vous me le permettez, Monsieur le Président, avec un peu de méchanceté; c'est le genre d'ambiance qui leur convient.

Mais je voudrais aussi leur rappeler, avec tout le respect qui leur est dû, que même si la patience est une vertu, il s'agit d'être positif, et jusqu'à maintenant, le gouvernement a bien su prendre l'inspiration ou la collaboration où il pouvait.

Il l'a fait chez nous, ensuite il l'a fait chez eux et puis il l'a fait avec les gens qui nous paient le compliment d'une visite, et il le fait aussi dans un esprit collectif parce qu'aujourd'hui devrait être le début des temps nouveaux.

C'est seulement un début. Il ne faut pas se leurrer, mais aujourd'hui, nous avons la chance de devenir comme eux. Aujourd'hui, c'est un jour de fierté collective et de fierté individuelle, non seulement pour les 500,000 francophones; mais ça nous donne à tous et à chacun l'espoir de regarder l'avenir avec confiance. On félicite le ministre et on le prierait de procéder. Nous sommes encore plus impatients.

16:00

Le vice-président: La façon dont nous allons procéder, Monsieur Guindon, c'est que premièrement, nous allons demander au ministre de faire des commentaires sur les alinéas 1(a), (b) et (c). Quand nous serons rendus à l'alinéa 1(d), nous vous demanderons à ce moment-là de faire une modification à la modification du projet de loi. Alors, vous aurez votre chance tout à l'heure. On vous avertira.

Monsieur le Ministre, sur l'alinéa 1(a).

L'hon. M. Grandmaître: Pas de commentaire.

Le vice-président: Pas de commentaire? Are there any questions, comments or amendments to clause 1(a)?

Est-ce qu'il y a des commentaires, des questions sur la modification de l'alinéa 1(a)?

L'amendement est adopté.

Le vice-président: L'alinéa 1(b) maintenant. Est-ce qu'il y a des commentaires, des questions?

L'amendement est adopté.

Le vice-président: L'alinéa 1(c).

Une voix: Pas de problème.

Le vice-président: Pas de problème?

L'amendement est adopté.

Le vice-président: L'alinéa 1(d).

Une voix: Pas de problème.

L'amendement est adopté.

M. Guindon: Je n'ai pas de problème avec l'alinéa 1(d). C'est que je voudrais ajouter un alinéa pour les universités et je me demandais si je devrais faire ça à l'alinéa 1(da) ou à l'alinéa 1(f).

Le vice-président: C'est au comité de décider.

Est-ce que vous préférez 1(f)? Auriez-vous des objections à 1(f)?

M. Guindon: Non, je n'ai pas d'objection.

Le vice-président: Alors, continuons. L'alinéa 1(d) a été adopté. Allons maintenant à l'alinéa 1(e). Est-ce qu'il y a des questions et des commentaires, des modifications?

L'amendement est adopté.

Le vice-président: M. Guindon propose que la définition du terme "organisme gouvernemental," à l'article 1 du projet de loi, soit modifié par adjonction de l'alinéa suivant:

"(f) une université qui est désignée par les règlements en tant qu'organisme offrant des services publics, à la suite du consentement prévu au paragraphe 9(2)."

L'hon. M. Grandmaître: Au sujet de la modification que mon collègue voudrait apporter, je crois que sa réponse se trouverait à l'alinéa 1(c): "une personne morale à but non lucratif ou une organisation semblable, qui fournit un service public." Je crois que les universités sont incluses dans l'alinéa 1(c).

Le vice-président: Monsieur Guindon?

M. Guindon: Oui, juste pour un moment, Monsieur le Président, pour vous dire que cela va permettre à la loi d'être un petit peu plus claire. Comme c'est là, si on ne mentionne pas les universités, c'est peut-être, à mon sens, une manière de les oublier. Si on les introduit clairement dans la loi, ça va être beaucoup plus clair et elles pourront participer plus facilement.

L'hon. M. Grandmaître: Sans doute mon collègue est-il au courant du paragraphe 9(2), qui englobe les universités: "Le règlement pris en

application de la présente loi et qui s'applique à une université n'entre pas en vigueur sans le consentement de l'université." Alors, je crois qu'encore une fois, ça démontre que non seulement l'alinéa 1(c) inclut les universités, mais le paragraphe 9(2) le fait aussi.

M. Guindon: Je ne suis pas encore satisfait. Même à ça, on l'a vérifié. Oui, nous avons le paragraphe 9(2), qui dit que la présente loi s'applique à l'université et n'entre pas en vigueur sans le consentement de l'université. Je suis d'accord, mais il faut seulement au moins que l'université soit reconnue dans la loi pour qu'on puisse demander son consentement.

L'hon. M. Grandmaître: Tous les organismes, toutes les institutions sont reconnus, excepté que ça prend le consentement de l'université avant qu'elle soit incluse dans le projet de loi, afin d'offrir des services en français.

M. Shymko: Tout ce que je veux savoir, c'est pourquoi le ministre et le gouvernement hésitent-ils à définir plus clairement le terme "personne morale à but non lucratif"? Ce qu'on essaie d'introduire par cet amendement, c'est la clarté de faire mention d'une institution qui est fondamentale à ce qu'on essaie d'accomplir par ce projet de loi.

Pourquoi cette crainte, cette peur de mentionner l'université dans l'article portant sur les définitions? C'est tout ce qu'on essaie de faire. Cela ne va pas mettre en danger le projet de loi; ça clarifie ce que c'est qu'une personne morale à but non lucratif. Si on demande aux gens ce que ça veut dire, une personne morale à but non lucratif, on ne sait pas ce que c'est. C'est un langage bureaucratique, judiciaire, administratif qui ne veut rien dire pour la majorité des gens. Pourquoi pas mentionner l'université?

Le vice-président: Monsieur le Ministre, vous voulez répondre?

L'hon. M. Grandmaître: Oui, je voudrais répondre. C'est clair: le projet de loi mentionne une personne morale. Elle va même plus loin que la Charte des droits et libertés. Alors, si on commence à mentionner tel et tel organisme, il va falloir en ajouter une dizaine de pages de ces organismes-là, et comme je l'ai mentionné tantôt, les universités sont incluses dans le paragraphe 9(2).

M. Shymko: Je demande encore une fois, est-ce que ce serait possible de dire dans l'alinéa, si on revient, si l'amendement 1(f) ne marche pas, pourquoi pas dire—mais c'est passé, naturellement, l'alinéa 1(c). Mais ce qu'on voulait dire,

c'est "une personne morale à but non lucratif ou une organisation semblable, qui inclut une université, qui est désignée par les règlements en tant qu'organisme offrant des services publics, à la suite du consentement prévu," etc. Est-ce qu'il ne serait pas possible d'ajouter que cela inclut une université qui est désignée, etc.? Est-ce que le ministre serait d'accord pour ajouter cela à l'alinéa 1(c)?

L'hon. M. Grandmaitre: Je répète, une personne morale inclut tous ces organismes-là, et si on incluait les universités dans l'alinéa 1(c), on risquerait d'en exclure, ce qui changerait vraiment l'alinéa 1(c). Alors, non, ce n'est pas acceptable.

16:10

M. Shymko: Je voudrais souligner que la référence à l'université est très importante, si on étudie, par exemple, le rapport qui fut préparé par le Dr Churchill de l'Institut d'études pédagogiques de l'Ontario, the Ontario Institute for Studies in Education, où l'on parle du rôle très important des universités dans la promotion du français en Ontario.

L'impact des universités, si on regarde les statistiques et le fait que pour les Franco-Ontariens, par comparaison aux autres minorités et au reste de la population, le niveau des francophones dans certains secteurs, par exemple les mathématiques, les sciences appliquées, le secteur de la santé, les arts, les humanités, est moins que la moitié de celui des autres.

Alors, ce qu'on veut indiquer, c'est l'importance que la communauté franco-ontarienne attache à l'université dans le but et l'intention de ce projet de loi et en essayant de clarifier l'article portant sur les définitions, en incluant une université qui est désignée par les règlements en tant qu'organisme offrant des services publics.

Ce qu'on essaie de faire, c'est de souligner l'importance de ces institutions. Cela ne veut pas dire qu'en soulignant une institution, on élimine les autres, qu'on ne veut pas mentionner les autres. Il n'est pas question de préjugés; il est question de souligner l'importance d'une institution qui est à la base de la survie de la francophonie en Ontario.

M. Rae: Je ne sais pas si un compromis serait possible, mais j'aimerais peut-être proposer que le ministre considère—je ne vois aucun problème. Franchement, on est tous d'accord que les universités, les collèges communautaires et les autres institutions publiques d'éducation et toutes les institutions publiques seront inclus dans la définition. On n'a aucun problème là-dessus. Je ne vois pas d'excuse pour débattre sans fin

quelque chose sur lequel nous sommes tous d'accord.

Est-ce qu'il est possible de dire, dans l'alinéa 1(c), que "government agency" means a university, à community college, a nonprofit corporation or similar entity", ou que "organisme gouvernemental" s'entend des organismes suivants: une université, un collège communautaire," etc.?

Franchement, je ne vois pas, en tant qu'avocat, où ça pose des problèmes juridiques dans cette situation. On définit plus précisément le problème, et si on est d'accord qu'on veut préciser l'importance des institutions d'éducation, et également des collèges communautaires, eh bien, on peut le faire.

L'hon. M. Grandmaitre: Pour faire une réponse, les collèges d'arts appliqués sont dans l'alinéa 1(a), et je répète, les universités sont mentionnées dans les paragraphes 9(1) et (2). Alors, pourquoi répéter la même chose lorsque, dans le projet de loi, on s'adresse aux collèges et aux universités?

Le vice-président: Est-ce qu'il y a d'autres députés qui désirent discuter du projet de loi ou y apporter des modifications?

M. Shymko: Pour conclure mes remarques à mes collègues distingués non francophones qui sont présents, j'indique que le but de la modification que mon collègue voulait faire à l'article portant sur des définitions, fait référence à une étude du Dr Churchill.

Dr. Churchill is a professor at OISE, and to assist those who do not speak French and do not understand this debate—they may have problems with their hearing equipment—I would like to stress that Dr. Churchill says there are some disturbing facts on university participation rates for francophones in this province. These are serious things, and I just do not understand why, were there a reference to "university" under the definition of "government agency," when we refer to "government agency," it would really complicate matters, as the member for York South (Mr. Rae) so eloquently expressed, even by adding community colleges and other institutions.

That is all that is intended. Under the definition of "government agency," we mean universities. When we refer to "government agency," which is referred to constantly in the bill in a number of sections, the minute someone reads the bill and sees "government agency," one immediately knows we are referring to universities.

Le vice-président: Est-ce qu'il y a d'autres députés qui veulent participer aux débats ou qui veulent ajouter des modifications à la loi?

M. Villeneuve: Il manque un mot ici. Moi aussi je dois exprimer mon inquiétude, l'inquiétude de ne pas inclure nos universités, nos écoles, nos collèges. Pour moi, qui n'ai pas étudié le droit, "une personne morale à but non lucratif ou une organisation semblable" veut dire pratiquement n'importe quoi.

Je n'aimerais pas voir une situation où on serait amené dans les cours d'appel pour essayer d'expliquer ce que nous voulons dire par ceci. J'aimerais inclure le mot "université" simplement pour éclaircir. C'est peut-être une des choses—et je dis ça peut-être un peu en farce—une des choses que le ministre avait peut-être écrit entre les lignes. Ne le laissons pas entre les lignes, mettons-le sur le papier.

L'hon. M. Grandmaître: Je crois que mon collègue a parfaitement raison. Les alinéas 1(a) et (c) du projet de loi répondent très bien aux collègues. Cela implique tout le monde. Alors, pourquoi répéter ça?

M. Pouliot: Monsieur le Président, au début j'aimerais que vous—chose que je ne fais pas souvent; je me force, comme tous les autres, à être à l'ordre. Mais quand je suis arrivé dans ces lieux illustres, cet après-midi, pour prendre part à ce débat historique, j'ai remarqué que le ministre avait quitté son siège habituel, et moi aussi, j'avais l'impression que ça se passait en famille. Mais j'ai oublié une chose.

Le vice-président: C'est tout nouveau pour tout le monde.

M. Pouliot: Quand je me suis levé, ici à l'avant, c'est que noblesse oblige. Puis ayant dit ça, on n'est pas nécessairement en famille. Quand je dis en famille, je dis dans l'ensemble du contexte familial, celui qui convient chez nous où on fait tous ensemble de la francophonie.

Interjections.

M. Pouliot: Ne me forcez pas à dire des choses, mon cher ami de Prescott-Russell, qui quand même seraient regrettables.

Il suffit de dire que le ministre, avec toute la sincérité qu'on lui reconnaît et toute la force qu'il puisse commander—le ministre est honnête, mon chef, notre Parti, n'ont aucune difficulté; on voit une certaine aisance, une certaine possibilité d'agir. Mais nos amis de droite, nos amis de l'opposition officielle, il me semble qu'ils ont raison. Si le ministre est bien intentionné, et il l'est sûrement, s'il ne s'agit pas ici d'avoir peur,

alors pourquoi pas le faire, le mettre sur le papier?

C'est facile. Le ministre nous dit qu'on a tous raison, qu'on parle ici de la même chose. On a l'opinion du ministre. Maintenant nous, ce que nous demandons, c'est une clarification. En toute honnêteté, le ministre me permettrait de demander, peut-être—on pourrait en reparler en peu plus tard. Il a des gens assez bien portants, et surtout assez bien payés, devant lui. On peut demander l'avis des autres parce qu'on veut l'assurance que le mot "université" y soit clairement inclus et, pour la population, clairement identifié. Pas moins que ça, mais quand même, en terminant, pas plus que ça non plus. Ça ne coûte absolument rien.

M. Villeneuve: A l'article 9, il y a quelque chose ici: "Le règlement pris en application de la présente loi et qui s'applique à une université n'entre pas en vigueur sans le consentement de l'université." Alors, nous pourrions avoir des complications ici vis-à-vis du consentement. Je comprends que le consentement est toujours nécessaire, mais par contre, si on le mentionnait au tout début, on couvrirait ces choses-là.

16:20

M. Rae: Une autre chose à ajouter, c'est que, comme le ministre le sait, j'ai un amendement à l'article 15 sur la participation des municipalités. Alors, si l'amendement que j'ai à proposer est accepté, ça aura des conséquences pour l'article portant sur les définitions, et j'espère que, peut-être avec votre consentement, Monsieur le Président, il sera possible d'en revenir au premier article pour l'adapter aux amendements que j'ai à l'article 15.

Le vice-président: Seulement quand vous serez rendu à l'article 15.

M. Rae: Je veux expliquer que j'ai un amendement spécifique, la participation des municipalités et le droit des citoyens dans les municipalités à commander certains services en français, et ça produira des effets sur l'article portant sur les définitions parce que l'article proposé par le ministre exclut spécifiquement les municipalités. Alors, on devra changer cet article si on accepte l'amendement que j'ai à proposer. C'est tout.

Le vice-président: C'est l'article 15? Quel paragraphe?

M. Rae: L'article 15a.

Le vice-président: L'article 15a. Est-ce qu'il y aurait des commentaires sur la proposition faite par M. Rae?

M. Shymko: Est-ce que je peux reprendre la remarque du député de York Sud, que si l'amendement à l'article 15a a le soutien de la Chambre, il faudra en revenir à l'article portant sur les définitions pour le clarifier. Alors, je suis totalement d'accord que si n'importe quel changement dans les autres articles du projet de loi exige des amendements à l'article portant sur les définitions, on le fera, bien qu'on suive les amendements article par article.

Est-ce qu'on peut avoir votre permission, Monsieur le Président, d'en revenir à l'article 1, s'il en est besoin, si c'est nécessité par les autres amendements?

Le vice-président: Est-ce qu'il y a des objections à la proposition faite par M. Rae? Alors, la proposition est soutenue?

Des voix: D'accord.

Le vice-président: D'accord. Est-ce que ça veut dire tout simplement que, maintenant, on oublie la modification portée par M. Guindon?

M. Shymko: Non.

Le vice-président: On la garde. Alors, ce que vous voulez dire, tout simplement, c'est que nous retardons le vote sur la modification à la modification du projet de loi apportée par M. Guindon. C'est ça? D'accord. Tout le monde est d'accord? C'est que l'article 1, en entier, est rapporté quand M. Rae discutera de l'article 15.

Nous allons maintenant discuter de l'article 2.

L'hon. M. Grandmaître: Nous avons une autre modification à apporter.

Le vice-président: À l'article 1?

L'hon. M. Grandmaître: Oui. "Organismes gouvernementaux" en première et deuxième lignes. Alors, est-ce qu'on retarde l'article 1 en son entier?

Le vice-président: À l'article 1, ça?

L'hon. M. Grandmaître: Oui. Est-ce que nous retardons—

Le vice-président: Oui, nous allons le retarder tout simplement.

L'hon. M. Grandmaître: Très bien.

L'article 1 est reporté.

Le vice-président: Maintenant, nous allons discuter des modifications à l'article 2.

L'hon. M. Grandmaître: Je n'ai aucune modification, Monsieur le Président.

Le vice-président: J'ai ici un amendement striking out "services" in the first line and inserting—

Les articles 2 et 3 sont adoptés.

Article 4:

Le vice-président: L'hon. M. Grandmaître propose que l'article 4 du projet de loi soit modifié par adjonction du paragraphe suivant:

"(1a) Le procureur général présente à l'Assemblée législative les traductions visées au paragraphe (1) afin qu'elle les adopte."

L'hon. M. Grandmaître: Cette modification précise leur statut juridique. C'est une précision.

Le vice-président: Est-ce qu'il y a des commentaires, des questions?

M. Guindon: Pas d'objection.

M. Shymko: Je voulais savoir si on exigerait ça des autres ministères, des autres ministres qui auront référence—le ministre de l'Éducation, par exemple.

L'hon. M. Grandmaître: Toutes les lois ou toutes les traductions.

L'amendement est adopté.

16:30

Le vice-président: L'hon. M. Grandmaître propose que le paragraphe 4(2) du projet de loi soit modifié par adjonction des mots "et recommande les traductions au Conseil des ministres ou à l'autorité compétente afin que le Conseil ou l'autorité les adopte."

Hon. Mr. Grandmaître moves that subsection 4(2) of the bill be amended by adding at the end thereof "and shall recommend the translations to the executive council or other regulation-making authority for adoption."

L'amendement est adopté.

Motion agreed to.

L'article 4, modifié, est adopté.

Article 5:

Le vice-président: M. Guindon propose que le paragraphe 5(2) du projet de loi soit modifié par substitution, à "trois" à la première ligne, de "deux".

Mr. Guindon moves that subsection 5(2) of the bill be amended by striking out "three" in the first line and inserting in lieu thereof "two."

M. Guindon: J'ai quelques commentaires. À propos de la loi que nous allons maintenant faire pour les services en français, nous avons déjà fait des études, elles ont été faites par OISE, par le Dr Churchill, comme on l'a mentionné tantôt, et nous savons déjà les problèmes. Attendre trois ans quand on sait où sont la plupart des problèmes, je ne vois pas pourquoi on ne pourrait pas raccourcir ça à deux ans, même à un an; mais on va prendre la route du milieu et on va dire deux

ans. Pour le moment, c'est tout ce que j'ai à dire sur le paragraphe 5(2).

M. Poirier: Je trouve intéressant, à titre de Franco-Ontarien, qu'évidemment ça fait longtemps qu'on attend la loi, un petit peu plus qu'un an.

M. Shymko: Ça mérite un discours.

M. Poirier: Oui, voilà, ça mérite un discours justement, mon collègue du parti du goutte-à-goutte, parti qui a eu 42 ans à s'empresse d'amener la loi, parce que nous avons eu un problème, nous avons hérité d'un mécanisme qui n'est pas en place.

Le vice-président Il faudrait discuter de la modification à la loi.

M. Poirier: On voudrait l'avoir demain matin. Ce qu'il faut faire, si ensemble on va faire un système qui va être effectivement capable de répondre le matin même où Franco-Ontarien ou une Franco-Ontarienne s'adresse au gouvernement en demandant son droit d'être servi en français, nous avons la responsabilité de nous assurer qu'il y a en place un vrai mécanisme pour répondre à des vrais droits, et non des faveurs, et des privilèges, et des nananes.

Cela étant dit, les députés, qui connaissent bien le système qui est en place actuellement, savent très bien qu'il n'est pas capable, demain matin, et je ne sais vraiment pas s'il serait capable dans deux ans, de fournir un système efficace pour que le francophone parte avec, entre ses mains, les services et le matériel qu'il aura demandés au gouvernement. Et si nous avons décidé que ça prendrait une période de trois ans, ce n'est pas par caprice, ce n'est pas par entêtement, ce n'est pas un luxe, mais c'est parce que nous croyons sincèrement que nous allons avoir pleinement besoin de cette période de trois ans.

C'est avec regret que je dis ça, bien sûr, parce que je voudrais bien que ce soit demain matin. Mais soyons réalistes. Pour une fois, je pense que le réalisme a sa part très intégrale à jouer dans l'adoption de ce projet de loi, et je demande aux députés de reconsidérer cette période de deux ans. Cela ne suffira pas, il y en a trop à faire.

M. Guindon: Juste pour faire un peu la mise au point des choses, mon collègue de Prescott-Russell (M. Poirier) parle de réalité, mais la réalité est que la commission va seulement suggérer; il faudra que le Cabinet l'approuve. Pour que cette loi-là entre en vigueur, il faut que les agences, ou les universités, ou toutes les personnes morales l'acceptent, comme le ministre l'a mentionné dans sa loi. Il y en a qui ne

l'accepteront pas dans 10 ans. Il y en a qui ne voudront rien faire de ça dans 10 ans de temps.

Donc, deux ans, trois ans, c'est bien plus important de commencer à mettre ça en jeu pour ceux qui sont vraiment prêts à le faire, aujourd'hui. Il y en a. On n'oblige pas tout le monde. Ce n'est certainement pas la loi ici qui dise que tout le monde est obligé de donner des services en français. Ce n'est pas vrai, ce n'est pas dedans. Si les députés comprennent ça, qu'ils fassent signe que oui.

Je ne vois aucune différence parce que plus tard dans le projet de loi, comme nous allons le voir, si on a vu tous les amendements que je veux apporter, c'est qu'on voudrait aussi établir la commission à titre permanent pour la période de deux ans, au lieu d'avoir trois ou quatre membres à temps partiel et seulement un membre à temps plein.

On peut facilement précipiter les choses un peu plus vite, d'an en an, sans causer aucun problème.

M. Pouliot: C'est une des rares fois où je suis d'accord avec mon ami de Prescott-Russell, sinon avec le style et la méthode habituellement employés par lui; mais aujourd'hui, la substance lui convient. Moi aussi, ayant écouté quand mon ami encore de Prescott-Russell parlait des gens de droite comme le parti du goutte-à-goutte, je me suis dit: ce n'est pas le moment de se pencher et de parler de l'ancien régime.

Mais, par contre, nous du parti de la conscience sociale, chez nous on sait plus que quiconque ici que la patience est une vertu. On nous a appris—parce que nous sommes depuis la Confédération, dans notre petit coin, nous sommes si peu—à attendre, à attendre souvent. On aurait aimé que le mécanisme soit en place demain, le député l'a souligné, ou dans peu de temps.

On s'est dit: est-ce que ce serait un luxe ou une nécessité pour laquelle il faudrait savoir attendre? Je crois que tous ensemble, collectivement, dans une chose qui nous concerne parce que c'est surtout notre affaire, c'est qu'on parle un peu de la même chose. On essaie de créer une situation ambiguë! parce que ça nous convient de créer une nuance.

Mais vraiment, quand on nous dit deux ans ou trois ans, on parle de la même chose. Nous n'avons aucune difficulté à accepter la proposition de trois ans et nous nous allions à l'idée que si on a besoin—moi, je crois que oui—de sauvegarder, et pour que ça ait l'air qu'il y a du monde, pour que ce soit une invitation à un système stable, bien, on dit, autant que ce soit

fait par exemple, prenons l'année suivante si ça nous convient.

Sur ça, et en terminant, c'est à cause de cette substance que nous nous rallions à la position du gouvernement. Donc, nous acceptons trois ans. On aurait préféré deux ans, on aurait même préféré demain; mais on a aucun problème avec trois ans.

M. Shymko: Je veux souligner l'ironie suprême des remarques que je viens d'entendre de la part du député de Prescott-Russell. Voilà un parti qui a déclaré publiquement, ouvertement, sa position politique sur la question du bilinguisme, qu'il soutient l'idée que l'Ontario devienne, un jour, une province bilingue, inscrite dans la Constitution, comme le sont le Nouveau-Brunswick et le Québec.

Mes chers collègues de gauche se rappellent très bien cette déclaration répétée: nous visons à en arriver au jour où l'Ontario sera une province bilingue. Voilà une réalité du jour: le parti au pouvoir est soutenu par le tiers parti, qui aussi a comme but et qui a constamment déclaré que sa politique était aussi de faire en sorte qu'un jour l'Ontario devienne une province bilingue dans le cadre constitutionnel, un jour, un jour, un jour.

Mais on parle maintenant, ce jour, cet avenir. Le député de Prescott-Russell dit qu'on doit être réaliste. Il parle de la réalité, et la réalité veut dire la politique: la politique avec un p majuscule, élection avec un e majuscule.

16:40

Le vice-président: Monsieur Shymko, il faut discuter de l'article 5.

M. Shymko: Alors, je ne peux pas comprendre, si en effet on vise à ce but, pourquoi on hésite à donner plus d'ampleur à une commission qui travaillera de façon permanente, pas à temps partiel mais de façon permanente, sérieusement, activement et efficacement à réaliser ce que le ministre mentionne dans sa politique: d'en arriver, un jour, à la réalité que l'Ontario deviendra une province bilingue.

Pourquoi a-t-il peur de le faire dans deux ans? Pourquoi pas donner un peu d'ampleur, un peu de vitesse vers ce but? Vraiment, en réalité, on voulait exiger un an, pas trois ans. Mais nous, nous sommes réalistes. On dit: soyons modérés. Alors, on propose deux ans. Mais trois ans, ce sera après les élections, naturellement. On sait très bien que dans trois ans, ce sera 1989. Mais pour ne pas faire de politique, ce qu'on essaie de faire, par la suggestion de deux ans, c'est de faire de cette commission une agence permanente qui va travailler efficacement à présenter des recommandations, des propositions au Conseil exécutif

et, espérons-le, au sein de cette Chambre, et à réaliser les besoins, les intérêts de la francophonie, pour lesquels on se bat depuis des décennies.

L'hon. M. Grandmaitre: J'espère qu'on a filmé ça, parce que je crois que mon ami vient de gagner un Oscar. J'espère qu'il va se souvenir de ses paroles. J'espère qu'il va pouvoir convaincre ses collègues de penser de la même façon et de voter de la même façon.

Je crois qu'il est insensé de penser à deux ans. Je comprends l'anxiété de mon collègue le député de Cornwall (M. Guindon). Moi aussi, je préférerais un an, je préférerais six mois. J'accepte son anxiété, excepté qu'il faut se rendre compte que présentement, plusieurs de nos services ne sont pas adéquats. Rien n'empêche les ministères qui peuvent offrir des services adéquats présentement de mettre ces services-là en vigueur avant le délai de trois ans; mais pour ceux qui ne sont pas adéquats, on préfère le délai de trois ans. Je crois que c'est rempli de bon sens. Ce serait de mal servir la population francophone de cette province que de lui faire accroire qu'on pourrait le faire dans deux ans.

M. Shymko: Je n'ai pas compris ce dont le ministre parlait lorsqu'il disait que ce débat, cet échange devrait être filmé. Filmé dans quel sens? Est-ce qu'on aurait dû filmer ce que je viens de dire? Si le ministre veut dire que les remarques que j'ai faites ne sont pas sincères ou sont contre mes opinions personnelles, eh bien, je voudrais savoir ce qu'il veut dire par "filmé".

Ce que j'ai dit, ce sont des convictions personnelles que je partage avec le Parti libéral et le Nouveau Parti démocratique. Je voudrais citer les remarques qui ont été faites au mois de janvier 1982, au Sénégal, au congrès international de l'Association internationale des parlementaires de langue française, quand j'ai dit ce qui suit: "Pour nous, les membres de l'Assemblée législative de l'Ontario, nous nous sommes efforcés de faire accepter l'épanouissement du fait français à tous les Ontariens et d'appuyer toute politique qui nous mène à ce but. Ce n'est pas la fin, c'est le début vers un Ontario entièrement bilingue." Alors, ce que j'ai essayé de dire—

Le vice-président: Veuillez vous en tenir au paragraphe 5(2), Monsieur Shymko.

M. Shymko: Je veux dire qu'on est d'accord sur le but de ce projet de loi. Ce qu'on essaie de faire c'est de lui donner un peu de force, un peu de vitesse, un peu d'ampleur, un peu d'efficacité en n'attendant pas trois ans de plus, mais en faisant ce qu'il est possible de faire. Il est possible de faire ça en deux ans, de le faire aussi vite que possible.

M. Rae: Ce serait injuste de donner l'impression que si on n'accepte pas la proposition du député de Cornwall, ça veut dire qu'il n'y aura aucun régime pour le présent. Parlons franchement: nous avons le paragraphe 5(1), qui offre certains services dans le présent. Alors, comme réponse à mon ami le député de High Park-Swansea (M. Shymko), tout ce que je peux dire c'est que sa sincérité n'est pas en question. Le député est peut-être un peu trop susceptible face aux remarques qui ont été faites.

Je crois que tout ce qu'on veut dire c'est qu'il y en a dans tous les partis qui sont en faveur, disons-le franchement, d'une déclaration officielle de la part de notre gouvernement que le français devrait devenir une langue officielle dans la province et que nous devrions accepter certains articles de la Constitution du Canada en ce qui concerne l'enchâssement des droits linguistiques dans la Constitution du Canada et dans la Constitution de l'Ontario.

Lorsque j'ai fait cette proposition à M. Davis, il a dit non; lorsque je l'ai faite au premier ministre (M. Peterson), qui occupe d'habitude le siège occupé en ce moment par le ministre des Affaires municipales (M. Grandmaître), il a dit que non, il ne le considérerait pas comme quelque chose de pratique. Et si il veut entendre de ma part, encore une fois, une déclaration claire et nette, il en aura une.

Nous sommes en faveur d'un amendement à la Constitution du Canada en ce qui concerne les langues officielles de la province, mais ce n'est pas la question dont nous discutons maintenant. La question dont nous discutons maintenant en est une de pratique. Le gouvernement a proposé un moyen d'agir, c'est-à-dire une commission qui aura certaines fonctions et un gouvernement qui répondra aussi vite, dit-il, qu'il estimera possible.

Je crois qu'on doit reconnaître, de la part du gouvernement, une certaine obligation. Ils sont, effectivement, le gouvernement. Je ne suis pas tout à fait heureux de cette situation tous les jours; je préférerais être membre du gouvernement moi-même.

Le gouvernement nous dit qu'il y a des questions de détails pratiques. Alors, nous pourrions, nous deux, mettre en vigueur le délai de deux ans, mais si tout ce que ça voudrait dire c'est que le gouvernement nous reviendrait dans un an ou un an et demi pour nous dire que ce n'était pas possible, que ça ne pouvait pas se faire, eh bien, qu'est-ce que nous aurions vraiment accompli?

Alors, je veux dire deux choses au ministre. D'abord, nous voyons ce projet de loi seulement comme une étape vers l'enchâssement du français dans la Constitution de l'Ontario; et deuxièmement, j'espère qu'il va préciser pourquoi la question du délai de deux ans est si difficile et si on ne pourrait pas en arriver, encore une fois, à un compromis qui clarifierait plus précisément le fait que nous voulons nous assurer, aussitôt que possible, que les services seront offerts et que le paragraphe 5(1) sera remplacé par le nouveau paragraphe 5(2).

L'hon. M. Grandmaître: Je crois que le chef du troisième parti a toujours parlé sincèrement lorsqu'on parlait des droits des francophones dans la province de l'Ontario. Je le remercie, je le respecte même plus que jamais, surtout lorsqu'il parle du bilinguisme officiel en Ontario. Si jamais l'occasion se présente, je suis sûr que le chef du troisième parti sera le premier à se lever pour porter le drapeau.

16:50

Maintenant, en ce qui concerne l'amendement, je répète que certains services existants sont adéquats; on n'a pas besoin d'attendre trois ans pour mettre en oeuvre ces services-là. Cependant, trop de services ne sont pas prêts, présentement, à être offerts dans un délai de six mois, un an ou peut-être 18 mois. Si nous voulons que les 27 ministères et les cinq secrétariats respectent volontiers la loi, de façon qu'ils offrent des services adéquats en français, le délai de trois ans est nécessaire.

Je répète que si jamais l'occasion se présentait, d'ici trois ans, d'offrir des services acceptables et adéquats, le gouvernement serait prêt à offrir ces services-là en français.

M. Villeneuve: Pour dire seulement quelques mots, 1990 me semble une durée un peu trop prolongée. On sait que dans le monde gouvernemental, à certains moments les années allongent au lieu de raccourcir. Alors, j'appuie fortement l'amendement au projet de loi que mon collègue le député de Cornwall apporte.

Nous sommes à la merci du Conseil des ministres de la province de l'Ontario. Il semblerait que nous ne soyons pas assez sages, assez matures pour pouvoir faire les choses dont nous avons besoin pour devenir maîtres chez nous. Nous sommes 500,000 ici. N'oublions pas que l'ancien gouvernement a apporté le bilinguisme au système d'éducation, au système juridique. J'espère que les députés ne vont pas me demander combien d'années ça fait. Ils vont me dire 42 parce que c'est le seul nombre qu'ils semblent se rappeler.

Mais par contre, ces choses-là sont en place. Alors, ne nous servons pas de certaines situations où on apporte du symbolisme. J'ai été attaqué à certains moments parce que j'avais toujours l'impression que si on apportait du symbolisme, on dirait: vous avez ce que vous avez demandé, symbolique. Allez-vous-en chez vous. Vous avez réglé vos problèmes.

Je dis au ministre: deux ans. Nous sommes assez matures pour pouvoir répondre aux nécessités. Nous avons déjà en place plusieurs de ces services. Pourquoi attendre au-delà de 1990? Il me semble une durée très longue.

M. Guindon: Pour en revenir aux remarques que le ministre a faites tantôt, il parlait de faire des faveurs ou de rendre service aux francophones, mais je crois que plus longtemps on retarde la loi, moins on va donner de services aux francophones; plus on va avoir de jeunes qui vont avoir laissé l'école trop tôt, plus on va avoir de gens qui ont des problèmes avec la loi.

C'est facile de voir que, même au point de vue des services de santé, si on peut offrir certains services de santé dans moins de deux ans, pourquoi ne pas le faire? Nulle part dans la loi dit-on qu'après trois ans, tout sera garanti quand même. Je ne vois pas pourquoi le ministre s'attarde à vouloir rendre la commission responsable d'en venir à une décision dans moins de deux ans. Après ça, c'est son ministère qui prend ça. C'est lui qui devient roi et maître de l'article.

L'hon. M. Grandmaître: Je répète que, du fait que certains ministères ne sont pas remplis de francophones ou de personnes bilingues, le délai de trois ans est nécessaire.

Pour revenir à ce qu'on disait tantôt, on parlait de gestes symboliques et on ne peut pas toucher à ça. On ne veut pas reculer en arrière, excepté qu'on le fait encore au compte-gouttes.

On veut nous rafraîchir la mémoire. Mais moi, je me rappelle qu'en 1978, un Libéral avait présenté un projet de loi; son nom était Albert Roy. Cela n'a jamais été accepté par les mêmes personnes qui nous critiquent aujourd'hui.

Le vice-président: Questions, commentaires, modifications? Sinon, nous allons mettre aux voix la modification proposée par M. Guindon.

Mr. Guindon has moved that subsection 5(2) of the bill be amended by striking out "three" in the first line and inserting in lieu thereof "two."

Is it the pleasure of the committee that the motion carry? All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

M. Shymko: Est-ce qu'on peut retarder ça, Monsieur le Président?

Le vice-président: Tout le monde est d'accord? Jusqu'à quand?

We will delay it until when? Until the end of the bill?

Une voix: Oui.

Mr. Martel: When we finish clause-by-clause.

Le vote est reporté.

Les articles 6 et 7 sont adoptés.

Article 8:

Le vice-président: L'hon. M. Grandmaître propose que l'alinéa 8(1)(a) du projet de loi soit remplacé par ce qui suit:

"(a) désigner des organismes offrant des services publics, aux fins de la définition du terme 'organisme gouvernemental'."

L'amendement est adopté.

Le vice-président: Nous allons maintenant discuter de l'alinéa 8(1)(d). Il y a un amendement de la part de M. Rae.

M. Rae propose que l'alinéa 8(1)(d) du projet de loi soit modifié par adjonction des mots suivants:

"et si elle ne porte pas atteinte à l'objet général de la présente loi."

M. Rae: Cet amendement n'en est pas un de petite importance; c'est un amendement d'une importance assez claire et nette. Le ministre se souviendra peut-être que dans nos discussions lors de la deuxième lecture, j'ai soulevé une question de principe assez importante. Il y avait une différence d'opinions entre nous et le gouvernement sur la question des pouvoirs qu'il fallait donner au Conseil des ministres, c'est-à-dire le Cabinet, et quelle sorte de pouvoir on devait donner ou reconnaître de la part des citoyens, et surtout quelle sorte de pouvoir on devait donner aux cours.

17:00

Et bien, dans la législation que nous avons, l'article 8 dit clairement que le gouvernement peut, par règlement, faire des changements à la loi qui vont, en fait, annuler les droits reconnus dans les articles 2 et 5. L'alinéa 8(1)(d), proposé par le gouvernement, dit que le Cabinet "peut, par règlement:..."

"(d) exempter des services de l'application des articles 2 et 5 si, de l'avis du lieutenant-gouverneur en conseil, cette mesure s'avère raisonnable et nécessaire."

Et bien, ces mots "raisonnable et nécessaire" pourront être interprétés de n'importe quelle

façon par le Cabinet et pourraient, comme je l'ai dit, absolument annuler l'effet des articles 2 et 5.

Naturellement, le ministre se rendra compte que les partis de l'opposition ne sont pas heureux d'une situation où le Cabinet peut, par règlement, changer la loi que nous avons adoptée, et c'est exactement ce qui est proposé dans les règlements. Franchement, je n'ai jamais vu un article de projet de loi qui donnait tant de pouvoir au Cabinet de contredire l'effet d'une loi adoptée par la Législature.

C'est pourquoi je propose un amendement qui est, du point de vue politique et du point de vue de la philosophie du projet de loi, une proposition absolument fondamentale. C'est-à-dire que nous disons que le Cabinet peut faire des règlements qui peuvent exempter des services de l'application des articles 2 et 5; alors, nous allons aussi loin que possible sur le chemin du gouvernement. Mais nous apportons une restriction importante au pouvoir du Cabinet en disant que le Cabinet ne peut faire de tels règlements que si ces règlements "ne portent pas atteinte à l'objet général de la présente loi."

Let me speak in English for a moment. It is a very old battle within the legislative process. Cabinets try to give all their powers to themselves by means of regulation, and parliaments try to get as many things into law as they possibly can so regulation does not have the effect of nullifying, completely and totally, the legislation we have passed.

By sleight of hand, this legislation proposes that the Lieutenant Governor in Council—that is to say, the cabinet—can make regulations that exempt services from the applications of sections 2 and 5 where the cabinet feels that is reasonable and necessary. Let us put ourselves in the position of somebody who is or wants to be on the receiving end of services, and the cabinet decides, for whatever reason, that it is convenient for it to do so. That is what we are saying here: it is a convenience test. It is convenient for the government to say, "You are exempted." That is more convenient than it is for the individual. We do not see that this law should be based on a question of convenience.

I urge the minister to accept the amendment, which is not unreasonable. We are not arguing that clause 8(1)(d) should be completely eliminated, which at another time I might have urged the minister to do and which, if I had my druthers, I would be urging him to do. What we are urging him to do is to add a section in which we say, "and where the exemption does not

derogate from the general purpose and intent of the act."

We cannot give the Lieutenant Governor in Council such extensive power that it completely and utterly nullifies the effect of the bill. What we have to do is to give to the individual some rights to demand of government those services to which we say the individual is entitled. When one has to choose between the rights of the individual and the rights of the cabinet, we have chosen the rights of the individual.

L'hon. M. Grandmaitre: Je crois que la sincérité du nouveau gouvernement s'est déjà fait valoir et nous avons l'intention de continuer. Alors, voici pourquoi le Cabinet se réservait ce droit, si on peut l'appeler ainsi, un droit.

Il faudrait que le Cabinet, ou le lieutenant-gouverneur en conseil, démontre une raison pour diminuer ou abolir un service en français. En plus, dans le projet de loi, on mentionne que si jamais un de ces services est annulé, le Cabinet doit, par préavis de 45 jours, le publier, et pendant ces 45 jours-là, les opposants, ou ceux qui acceptent ces services, pourront se faire entendre.

Un autre outil c'est l'outil de la commission qui sera en place. La commission doit évaluer et, en plus, faire des recommandations au gouvernement sur ces services-là, et elle pourra les faire publiquement, donc pas en cachette. Si jamais le gouvernement décidait de se dispenser de certains services, il lui faudrait en faire la publication pendant 45 jours, et en plus, la commission aurait un mot à dire dans toute l'affaire.

Le vice-président: Monsieur Rae, vous avez d'autres commentaires?

Mr. Rae: I am not very convinced by what the minister has said so far.

M. Shymko: Mes collègues, les collègues de mon parti, vont soutenir l'amendement du député de York Sud. Ses remarques sont raisonnables, du fait que dans l'alinéa 8(1)(d), on donne au Conseil des ministres le pouvoir, en effet, de détruire l'impact de cette loi.

Par l'amendement qui dit, "si elle ne porte pas atteinte à l'objet général de la présente loi", on protège ce projet de loi contre ce pouvoir. On ne sait pas quels seront les règlements, et comme mon collègue l'avait indiqué, on voit ça toujours dans les projets de loi.

Un projet de loi devient loi, puis on voit toute la liste de règlements, et en les regardant, ça détruit presque la moitié de l'efficacité de cette loi, et même l'objet général de la loi. Alors, ce qu'on essaie de faire par cet amendement, et je soutiens mon cher collègue de gauche, c'est de

protéger l'objet général de la présente loi, et je ne comprends pas pourquoi le gouvernement, le parti au pouvoir, l'honorable ministre aurait des réserves ou des objections.

17:10

Le vice-président: M. Rae a proposé que l'alinéa 8(1)(d) du projet de loi soit modifié par adjonction des mots suivants:

"et si elle ne porte pas atteinte à l'objet général de la présente loi."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

L'amendement est adopté.

Le vice-président: Nous allons maintenant discuter du paragraphe 8(2).

M. Guindon propose que le paragraphe 8(2) du projet de loi soit modifié par substitution, à "trois" à la première ligne, de "deux".

Le vice-président: Est-ce qu'il y a des questions, des commentaires?

L'hon. M. Grandmaître: Je pourrais offrir les mêmes arguments encore.

Interjection.

L'hon. M. Grandmaître: Je parle du paragraphe 8(2).

Le vice-président: C'est le même? Je n'ai pas tout à fait compris.

L'hon. M. Grandmaître: Le même argument: deux ans à trois ans. Je répète les mêmes arguments.

Le vice-président: Est-ce que la question sera la même?

M. Guindon: C'est la même question qu'il y avait au paragraphe 5(2) et ce sera la même au paragraphe 15(1).

Le vice-président: Voulez-vous voter, ou encore voulez-vous qu'on reporte toutes ces questions-là au vote?

M. Guindon: C'est la même motion, Monsieur le Président.

Le vice-président: M. Guindon a proposé que le paragraphe 8(2) du projet de loi soit modifié par substitution, à "trois" à la première ligne, de "deux". Plaît-il à la Chambre que la motion soit adoptée?

Que tous ceux qui sont en faveur de la motion veuillent bien dire oui.

Que tous ceux qui sont contre veuillent bien dire non.

À mon avis, les non l'emportent.

C'est encore la même chose—

Interjections.

The Deputy Chairman: Five members have to get up if you do not accept it. I declare the motion lost.

Mr. Guindon: How can you lose one and win one?

The Deputy Chairman: There are supposed to be five people. It is up to you. It is your vote; you are the ones who decide. I do not decide.

Mr. Shymko: We have been stacking votes, Mr. Chairman.

The Deputy Chairman: I know, but the thing is that we—

Mr. Breugh: On a point of order, Mr. Chairman: I take it that some kind of point of order has broken out here. I understand that you have stacked previous votes, that you have an agreement to stack votes and that at the request of a member to stack the votes, and with the concurrence of others, we traditionally have done that. I have just entered the chamber, but I assume that is what just happened, is it not?

M. Shymko: Lors du débat sur le premier amendement, on a demandé, vous vous en souvenez, Monsieur le Président, de le retarder.

The Deputy Chairman: The procedure is that the question is put for each amendment. We put the question for section 5, and then five members stood up. I asked the same question for subsection 8(2), and only three people stood up. Therefore, the motion is lost.

Mr. Shymko: No. We said, "Stack it."

Mr. Breugh: Mr. Chairman, perhaps I could assist you a little bit. The normal process, as I understand it—and I have been here only 11 years—is that you will call the vote, you will hear it the way you hear it and you will say it wins or it loses. If there is an agreement to stack votes, someone will make that request, and the formal vote will be held at a later time.

I have never been here on an occasion, when there is agreement to stack votes, where you insist that five members stand up all the time. If you want, we can do that, but it is going to be a slightly longer afternoon than you were anticipating.

The Deputy Chairman: Would you like me to put the question again?

Mr. Breugh: That will help us out of this one. Thank you.

The Deputy Chairman: Mr. Guindon has moved that subsection 8(2) of the bill be

amended by striking out "three" and inserting in lieu thereof "two."

Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Interjections.

The Deputy Chairman: Five members have to stand up. Thank you.

Le vote est reporté.

Vote stacked.

Les articles 9 à 11, inclusivement, sont adoptés.

Article 12:

Le vice-président: M. Guindon propose que l'alinéa 12(2)(d) du projet de loi soit supprimé.

M. Guindon: C'est encore notre fameux—il faut changer le nombre de trois à deux. Ce n'est pas tout à fait ça.

Le vice-président: Ce n'est pas pareil.

M. Guindon: Non. Donnez-moi une minute.

La motion que je propose au comité, c'est que l'alinéa 12(2)(d), qui dit: "faire enquête sur les plaintes des membres du public en ce qui concerne la prestation des services en français et répondre à ces plaintes", soit supprimé. Je propose qu'on laisse ça à la commission.

Le vice-président: M. Guindon propose que l'alinéa 12(2)(d) du projet de loi soit supprimé. Est-ce qu'il y a des questions, des commentaires, des modifications?

17:20

L'hon. M. Grandmaître: On vient de mentionner que la commission devrait avoir une durée de deux ans. Alors, imaginons-nous: qui va écouter les plaintes après les deux ans?

M. Guindon: C'est vous.

L'hon. M. Grandmaître: Merci bien. C'est l'Office des affaires francophones qui va remplacer la commission. Mais entre-temps, ça prend quelqu'un.

M. Guindon: Il me semble que durant la période de deux ans de la commission, il faut qu'elle soit au courant de tout ce qui se passe. Il faut au moins qu'elle soit au courant des plaintes. Il faut au moins qu'elle soit capable de régler les problèmes des gens qui auront des plaintes à porter.

Donc, il me semble que ce serait de leur devoir de s'occuper de ces plaintes. Puis je ne vois pas pourquoi le ministre est en désarroi. Je trouve qu'après les deux ans, après que la commission

va avoir fini son ouvrage, eh bien, c'est le ministre délégué aux Affaires francophones qui prendra la relève; après ce temps-là, c'est lui qui fera l'ouvrage. Je trouve qu'en plus, ça pourrait donner à son ministère le temps d'expérimenter des moyens à résoudre les problèmes.

L'hon. M. Grandmaître: Si jamais la durée de la commission était diminuée à deux ans, elle aurait du pain sur la planche. Alors, je répète, il ne faudrait pas surcharger la commission. Là maintenant, on veut ruiner la commission.

M. Guindon: Est-ce que le ministre pourrait répéter ce qu'il a dit? Je n'ai pas eu la chance de comprendre ce qu'il vient de dire.

L'hon. M. Grandmaître: Ce que je viens de dire c'est que si jamais on diminue la durée de la commission de trois ans à deux ans, et en plus, qu'on s'attend à ce que ce soit la responsabilité de la commission d'entendre ces plaintes durant cette période-là, on va ruiner la commission, on va la surcharger de travail.

Je ne veux pas revenir à mon premier argument, mais trois ans, c'est beaucoup plus raisonnable qu'une période de deux ans, si on s'attend à ce que la commission ait toutes ces responsabilités-là.

M. Shymko: Moi, j'avais toujours l'impression que le mandat du ministre et de son ministère était de faire enquête sur toutes les plaintes, quoi qu'elles soient, des membres du public. C'est son mandat de faire enquête sur les plaintes des membres du public. Je ne comprends pas pourquoi on devrait mettre ça dans un projet de loi.

C'est le mandat de chaque ministère, en effet, de chaque ministre, des membres du Conseil des ministres, de faire enquête sur les plaintes des membres du public, dans le cas présent, en ce qui concerne la prestation des services en français et de répondre à ces plaintes. C'est ce qu'il fait chaque jour. Pourquoi le mettre là, à moins qu'il ne veuille changer ça? Ce n'est pas qu'il puisse le faire. Il doit le faire; il le fait, en effet. Alors, cet alinéa-là ne veut rien dire.

L'hon. M. Grandmaître: En réponse, premièrement, ce n'est pas un ministère; c'est un ministre qui est délégué aux affaires francophones, et c'est présentement l'Office des affaires francophones qui est responsable des plaintes. Ce n'est pas un ministère; c'est un ministre qui est délégué aux affaires francophones.

M. Shymko: J'ai une question, et pardonnez-moi, Monsieur le Président, si je n'ai pas compris l'explication du ministre. Si le ministre est

responsable des affaires francophones de notre province, est-ce que il y aurait, parmi ses responsabilités, un devoir—je demande même, est-ce qu'il y aurait un pouvoir et est-ce qu'il y aurait un devoir présentement, dans le cadre des responsabilités qui sont définies, de faire enquête sur les plaintes des membres du public en ce qui concerne la prestation des services en français et de répondre à ces plaintes? Je voudrais savoir si ce pouvoir existe et si ce devoir existe, en effet. Sinon, ça change la position de mon collègue, et la mienne aussi.

L'hon. M. Grandmaitre: Présentement, c'est la responsabilité de chaque ministre de répondre aux plaintes, et je crois que ce devrait être la responsabilité d'une personne ou d'un comité, d'un ministre délégué aux affaires francophones, de répondre à ces plaintes-là.

Je ne connais pas le passé, mais je suis sûr que ce n'était sûrement pas la responsabilité de chacun des ministres de répondre à toutes les plaintes que le gouvernement recevait, du fait que nous n'avions pas de projet de loi. Maintenant, par ce projet de loi, on veut simplement centraliser ces plaintes et que la commission et l'Office des affaires francophones soient vraiment au courant des besoins et des lacunes dans les services.

M. Shymko: Alors, si je comprends le ministre, le but de cet alinéa c'est de centraliser la responsabilité du ministre responsable. Mais je voudrais savoir si, en centralisant son pouvoir et en lui donnant ce pouvoir, on élimine la responsabilité des autres ministres, soit le ministre de l'Éducation, soit le ministre de la Santé ou n'importe quel autre ministre, de faire des enquêtes, ce qui existe présentement.

Oui ou non? Je peux parler pour donner à mes collègues un peu de temps d'élaborer leur position. Je crois que le ministre, le député de York Sud et mon collègue le député de Cornwall sont en train d'avoir de petites négociations.

Je voudrais enfin demander au ministre si, à part l'amendement de mon collègue, on pourrait peut-être substituer, aux mots "il peut" dans le paragraphe 12(2), "il doit".

Le vice-président: Mais il faudra apporter une modification à la modification.

M. Shymko: J'ai demandé au ministre de nous dire exactement quel est son mandat comme ministre responsable. Est-ce que c'est écrit quelque part?

L'hon. M. Grandmaitre: Non. Je suis sûr que mon collègue reconnaît que lorsqu'un ministre est délégué, c'est simplement une façon

de parler. C'est exactement ça, tant que les affaires francophones ne deviendront pas un ministère reconnu. Présentement, c'est un ministre délégué. Alors, c'est pour ça que nous avons en place l'Office des affaires francophones.

M. Shymko: Je me demande si on n'aurait pas eu ce débat aujourd'hui s'il existait au sein du Conseil des ministres un ministre des Affaires francophones, au lieu d'un ministre délégué aux Affaires francophones. J'ai compris que le ministre est pour cette suggestion. Alors, on devrait avoir une petite conversation avec le premier ministre.

En effet, je comprends que le ministre chargé des affaires francophones—ou responsable, ou délégué, etc.—veut dire qu'il joue le rôle d'un coordonnateur, mais sans pouvoir réel, enfin, de faire des enquêtes, et ce qu'il veut faire c'est de se donner ce pouvoir par ce projet de loi. C'est ça?

17:30

Alors, personnellement, avec le respect que j'ai pour le ministre et sa sensibilité, sa compassion, etc., et pour ses efforts de donner un peu plus d'ampleur à la francophonie en Ontario, je soutiendrais n'importe quel projet de loi, ou article de projet de loi, qui lui donnerait ce pouvoir, qui n'existe pas à ce moment-ci.

Mais je voudrais demander ceci: si on lui donne ce pouvoir par ce projet de loi, est-ce que ça élimine son rôle de coordonnateur, est-ce que ça élimine la responsabilité de chaque ministre, chaque membre du Conseil des ministres de continuer à faire enquête sur les plaintes des membres du public?

L'hon. M. Grandmaitre: Non, sûrement. Avec les pouvoirs du ministre, ça va renforcer le tout, ça va nous donner du pouvoir, et nous allons agir au lieu de se traîner la patte.

M. Shymko: Mon collègue le député de Cornwall n'est pas ici. Je voudrais savoir ce qu'il va faire avec son amendement. Est-ce qu'il va le retirer ou non? Je voudrais demander au député de Cornwall de rentrer en Chambre pour nous indiquer ce qui se passe au sujet de son amendement, et je voudrais souligner que le but de cet amendement, selon ma compréhension de l'intention du député de Cornwall, est une intention sincère de renforcer le pouvoir du ministre, certainement pas d'éliminer ses responsabilités ou son pouvoir.

Mr. Breaugh: On a point of order, Mr. Chairman: We are begging the member for High Park-Swansea to talk. This is going to happen

only once this century. Let him use the occasion to do so.

The Deputy Chairman: That is not a point of order.

M. Shymko: Ce qui se passe aujourd'hui, c'est vraiment un moment historique. C'est la première fois dans l'histoire de l'Ontario qu'on a eu un débat totalement en français. Alors, c'est historique, ce que l'on fait. Malheureusement, ce qui n'est pas historique, c'est que quand on pose des questions, on n'a jamais de réponse du côté du gouvernement. Ça, ça ne change pas. Moi, je pensais qu'avec le changement qu'on voyait dans la réalité de l'Ontario, qui après 42 ans—

Mr. Wildman: We are one government today.

M. Shymko: Oui. Je pensais qu'il y aurait un changement. Je ne le vois pas, en réalité. Je n'ai pas de réponse. Je demande même au ministre de dire oui ou non, et sa réponse est: pas de commentaire, une conspiration du silence, de consultations dans lesquelles il s'engage pas seulement avec les conseillers de son ministère mais aussi avec mes copains du côté de l'opposition. Je vois en ce moment des consultations très importantes dans le cadre du pacte qui fut signé au mois de juillet, l'année dernière. Ce que je ne sais pas—

Le vice-président: Monsieur Shymko, il faut parler de la modification.

M. Shymko: J'en parle, Monsieur le Président. On m'a chargé de la responsabilité de parler. Je fais de mon mieux. C'est un fardeau de responsabilités que je porte sur mon dos.

Je voudrais dire que je comprends que le ministre est dans un état de confusion—

M. Pouliot: Totale.

M. Shymko: —totale. Il ne sait pas où donner de la tête à ce moment-ci. Alors, en essayant de l'aider dans la panique dans laquelle il se trouve, je vois mes collègues de gauche qui lui donnent de l'assistance, je vois le grand chef du tiers parti qui lui donne de l'assistance, mon collègue de gauche et mon collègue le député de Cornwall qui essaient de lui donner un peu d'encouragement. Moi-même, avec tous les moyens disponibles, intellectuels, émotionnels, physiques, etc., j'essaie d'encourager le ministre délégué aux Affaires francophones à nous expliquer exactement quel est son mandat.

Sa réponse? Il n'en a aucun, me dit-il. Il n'y a rien d'écrit. Ça me donne l'impression que c'est un mandat divin, qu'il est un interlocuteur avec je ne sais pas qui. Si, en effet, la direction vient du bureau 231—c'est quel bureau, ça, le bureau du

premier ministre?—alors, on devrait attendre que le premier ministre de cette province vienne en Chambre pour donner un peu de direction. Non?

Alors, je m'arrête. Espérons que je vais terminer, un jour. Je voudrais indiquer que la réalité, le moyen réel de choisir un chemin modéré pour réaliser ce qui est exigé par la communauté francophone—

Je voudrais savoir si, en effet, le ministre a des responsabilités directes de coordination avec le ministre de l'Éducation, par exemple. Nous savons que, depuis 1969, c'est dans le domaine de l'éducation qu'on a donné tant d'ampleur, et le projet de loi que nous voyons maintenant continue ce qui fut commencé il y a une bonne vingtaine d'années par le Parti conservateur, sous la direction de notre ancien premier ministre, William Davis.

Interjection.

M. Shymko: Ah, bon. Je souligne la direction qui fut donnée par l'ancien gouvernement et je veux rappeler au ministre et à mes chers collègues que c'était en 1969 que se sont ouvertes les premières écoles secondaires publiques de langue française. Je veux rappeler à mes chers députés que c'était en 1972 que le gouvernement établit un conseil supérieur des écoles de langue française. Je voudrais leur rappeler—

Interjection.

M. Shymko: Est-ce que je devrais terminer mes propos?

M. Pouliot: Oui, c'est ça qu'on veut.

M. Shymko: Bon, voilà. Alors, je vais cesser de parler de la liste des réalisations, de l'ouverture vers les services aux francophones qui fut déclenchée par l'ancien gouvernement conservateur.

Alors, espérons que le ministre reconnaîtra le mandat et qu'il reconnaîtra enfin la sensibilité de la part des députés de ce côté-ci qui lui donnent un peu de direction dans ce qu'il essaie d'accomplir par ce projet de loi.

L'hon. M. Grandmaitre: Mon seul commentaire, c'est que mon collègue me dit que toutes les bonnes choses qui ont été créées pour les francophones en Ontario existent grâce à l'ancien gouvernement.

Laissez-moi vous dire, Monsieur le Président, qu'ils n'ont jamais eu l'audace de donner du pouvoir à ce ministre-là; ils n'ont jamais eu l'audace de le dire ni de le faire. Alors, le nouveau gouvernement de 16 ou 17 mois va de l'avant, et aujourd'hui, nous en sommes rendus à un projet de loi qui va respecter et donner des

pouvoirs justement à la communauté franco-phone qui l'exige depuis 100 ans.

M. Shymko: Je veux corriger—
Interjections.

M. Shymko: Non, c'est important, ce que le ministre vient de dire. Je voudrais corriger le commentaire du ministre en citant le Toronto Star du 19 novembre—

Le vice-président: À l'ordre.

M. Pouliot: Je comprends maintenant qu'il va falloir que ça se passe dans une entente tripartite. Je ne ferai pas comme certains collègues qui demandent qu'on revienne à Samuel de Champlain, qu'on revienne à nos ancêtres; mais plutôt, avec encore toute la coopération que nous devrions commander de nos collègues, que les choses se fassent rapidement pour le bien-être de la francophonie, qu'elles se fassent rapidement pour qu'enfin on donne à un peuple fondateur du Canada, évoluant dans la plus grande province de ce beau pays, la possibilité, en 1986, d'être, d'évoluer, de vivre comme les autres et d'arrêter de mendier et de végéter.

C'était l'abbé Pierre qui nous avait dit: vous nous offrez une goutte alors que—

Le vice-président: À l'ordre. Monsieur Pouliot, je vous rappelle à l'ordre. Je vous rappelle que nous discutons de l'amendement au paragraphe 12(2) proposé par M. Guindon.

M. Pouliot: Je dis tout ça pour nous amener à nous demander si on devrait avoir un ministère de la francophonie.

Le vice-président: À l'ordre.

M. Pouliot: Vous savez qui a raison, Monsieur le Président.

Le vice-président: À l'ordre. Est-ce qu'il y a d'autres questions ou commentaires sur la modification à la loi apportée par M. Guindon?

M. Poirier: Oui, Monsieur le Président.

Le vice-président: Sur l'alinéa 12(2)(d)?
Interjections.

M. Shymko: Il la retire.

M. Poirier: Il la retire? Bon.

M. Guindon: Monsieur le Président, je voudrais retirer l'amendement que j'ai proposé au paragraphe 12(2).

La motion est retirée.

L'article 12 est adopté.

Les articles 13 et 14 sont adoptés.

Article 15:

M. Guindon: Monsieur le Président, je veux retirer mon amendement à l'article 15a qui avait

rapport aux bylaws for bilingual administration services.

Le vice-président: Je n'ai pas compris. Nous en sommes rendus au paragraphe 15(2).

M. Guindon: Paragraphe 15(2)?

Le vice-président: Oui. Vous venez de dire que vous avez retiré l'article 15(1). Monsieur Guindon, vous le retirez?

Mr. Rae: Yes, he is withdrawing it.

The Deputy Chairman: He is withdrawing it. Vous le retirez.

Maintenant nous allons discuter du paragraphe 15(2).

Mr. Rae: Perhaps it could be made clear that it is my understanding there are only two other amendments, one that I am going to put to add a new section 15a and one that the member for Cornwall is going to put to section 16. If it clarifies events that have taken place while the debate has been going on, those are the only two amendments that are going to be proposed, because we want to complete the debate today.

Mr. Chairman, you should be advised that there is agreement among the parties that we will complete the debate today. We will deal with all matters and report the bill this evening, after we discuss the two amendments I mentioned. That is my understanding, and I see the minister nodding. Perhaps he can confirm that this is the understanding.

Hon. Mr. Grandmaitre: Yes, it is.

The Deputy Chairman: The member for Cornwall is withdrawing all his amendments, except for the amendment to section 16.

Mr. Shymko: What about the ones that were stacked?

Mr. Rae: We are going to come back to them.

The Deputy Chairman: You have an amendment to add section 15a.

Mr. Rae: That is right. I have a new section 15a, which deals with municipalities.

Le vice-président: M. Rae propose que le projet de loi soit modifié par adjonction de l'article suivant:

"15a(1) Le conseil d'une municipalité située dans une région désignée à l'annexe peut adopter un règlement prévoyant que l'administration de la municipalité se fera en français et en anglais et que les services municipaux au public, ou une partie précisée de ces services, seront fournis dans ces deux langues.

"(2) Lorsqu'un règlement municipal visé au paragraphe (1) est en vigueur, chacun a droit à l'emploi du français ou de l'anglais pour

communiquer avec tout bureau de la municipalité et pour recevoir les services visés par le règlement.

“(3) Si une région désignée à l’annexe fait partie d’une municipalité régionale ou d’une communauté urbaine et que le conseil d’une municipalité située dans la région adopte un règlement en vertu du paragraphe (1), le conseil de la municipalité régionale ou de la communauté urbaine peut également adopter un tel règlement en ce qui concerne son administration et ses services.”

Mr. Rae: I think it is clear what the amendment is intended to do. I want to make one point clear. It is a permissive piece of legislation. It says “may.” It does not, to put it bluntly, force a municipality to become bilingual when it does not want to offer services in the two languages, if it is in a designated region. It makes it permissive and, therefore, it is a practical amendment. I hope the government will be able to accept it.

Le vice-président: Est-ce qu’il y a des commentaires, des questions?

M. Rae: Je n’ai pas de commentaire et j’espère que ça sera adopté aussi rapidement que possible par le gouvernement.

L’amendement est adopté.

L’article 15, modifié, est adopté.

17:50

Article 16:

Le vice-président: M. Guindon propose que l’article 16 du projet de loi soit modifié par substitution, aux mots “que le lieutenant-gouverneur fixe par proclamation,” des mots “où elle reçoit la sanction royale.”

L’hon. M. Grandmaître: Accepté, Monsieur le Président.

L’amendement est adopté.

L’article 16, modifié, est adopté.

L’article 17 est adopté.

Article 1:

Mr. Rae: I am not a draftsman. Can the minister’s staff perhaps think of wording that will take into account the amendment he has just accepted?

I refer the minister back to his own amendments. Est-ce qu’il peut accepter: “sont exclus les municipalités, de même que les conseils locaux au sens de la Loi,” etc., “à l’exception des conseils locaux qui sont désignés aux termes de l’alinéa (e) et à l’exception des municipalités” —

I do not know how you would phrase it. Perhaps one of the minister’s draftsmen can think of a wording in the next 30 seconds. Does the

minister see what I am trying to say? We want to include a municipality that has passed a bylaw, as provided in section 15a. I can say it in English, and perhaps someone can provide the translation.

L’hon. M. Grandmaître: Je crois que ce n’est pas tout à fait nécessaire, du fait que la décision concernant la municipalité de Kapuskasing indique très clairement qu’une municipalité peut se déclarer bilingue.

Mr. Rae: I will withdraw that. I accept the definitions section as proposed by the minister.

Le vice-président: Est-ce que l’article 1, tel que présenté, est adopté en son entier?

Mr. Breagh: Are there any votes outstanding before we rise and report?

The Deputy Chairman: The Clerk tells me there are two more.

Mr. Breagh: Can we get them on the paper? There seems to be some feeling that we would like to vote on those this afternoon.

Mr. Rae: We are prepared to vote on those now.

Le vice-président: L’hon. M. Grandmaître propose que la définition du terme “service”, à l’article 1 du projet de loi, soit modifiée par adjonction, après “organisme gouvernemental” aux première et deuxième lignes, des mots “ou une institution de la Législature.”

L’amendement est adopté.

Le vice-président: Est-ce que l’amendement à l’article 1, tel que proposé par Monsieur Grandmaître, est adopté?

L’amendement est adopté.

L’article 1, modifié, est adopté.

Annexe:

Le vice-président: L’hon. M. Grandmaître propose que l’annexe du projet de loi soit modifiée par substitution, aux mots “Le village de Chesterville”, à la colonne de droite en face de “Comté de Dundas,” les mots “Le canton de Winchester.”

L’amendement est adopté.

L’annexe, modifiée, est adoptée.

Préambule:

Le vice-président: L’hon. M. Grandmaître propose que le préambule du projet de loi soit modifié par adjonction, après “éducation” à la cinquième ligne, des mots “attendu que l’Assemblée législative reconnaît l’apport du patrimoine culturel de la population francophone et désire le sauvegarder pour les générations à venir.”

M. Guindon: Pourrait-il le lire au complet?

Le vice-président: Si vous le préférez. Alors, je vais le lire au complet.

Interjections.

Le vice-président: Ce n'est pas nécessaire? L'amendement est adopté.

Le préambule, modifié, est adopté.

The Deputy Chairman: We have deferred the division on two questions. The first is that subsection 5(2) of the bill be amended by striking out "three" in the first line and inserting in lieu thereof "two."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

L'amendement est rejeté.

L'article 5 est adopté.

The Deputy Chairman: Now we will deal with the motion that subsection 8(2) of the bill be amended by striking out "three" and inserting in lieu thereof "two."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

L'amendement est rejeté.

L'article 8 est adopté.

Mr. Wildman: There is a strange feeling of unanimity in this place.

Mr. Breaugh: It is called solidarity.

The Deputy Chairman: This was history today.

Bill, as amended, ordered to be reported.

Le projet de loi, modifié, sera rapporté.

On motion by Hon. Mr. Grandmaître, the committee of the whole House reported one bill with certain amendments.

À la suite d'une motion présentée par l'hon. M. Grandmaître, le comité plénier fait rapport d'un projet de loi avec certains amendements.

BUSINESS OF THE HOUSE

Hon. Mr. Van Horne: In the absence of the government House leader, I would like to indicate the business for the coming week:

On Monday, November 10, and Tuesday, November 11, which is Remembrance Day, the House will not sit.

On Wednesday afternoon and Thursday afternoon, we will deal with Bill 116, Loan and Trust Corporations Act, and then legislation from the list as follows and as time permits:

Bill 22, regional municipalities, in committee of the whole House; Bill 123, Metro Toronto; Bill 23, line fences; Bill 25, Muskoka; Bill 48, Metro Toronto; Bill 114, Metro Toronto; Bill 66, business corporations; Bill 119, Liquor Control Board of Ontario; Bill 120, Liquor Licence Board of Ontario; Bill 121, land titles; Bill 122, registry office; Bill 14, oleomargarine; Bill 58, Time Amendment Act, in the name of the member for Bellwoods (Mr. McClellan).

On Thursday morning, we will deal with private members' public business standing in the names of the member for Simcoe East (Mr. McLean) and the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson).

The House adjourned at 6 p.m.

ERRATA

No.	Page	Column	Line	Should read:
60	3127	2	25	day, I talked to an official from the Cambridge

CONTENTS

Thursday, November 6, 1986

Private members' public business

Northern development , resolution 62, Mr. Foulds, Mr. McGuigan, Mr. Bernier, Mr. Wildman, Mr. Ramsay, agreed to	3151
Remuneration of trustees and councillors , resolution 37, Mr. Callahan, Mr. Davis, Mr. Breagh, Mr. Epp, Mr. Pierce, Mr. Allen, negatived	3160

Second reading

Geographic Township of Hansen Act , Bill 146, Mr. Shymko, Mr. Rae, Mr. Grossman, Hon. Mr. Ruprecht, agreed to	3170
--	------

Third reading

Geographic Township of Hansen Act , Bill 146, Mr. Shymko, agreed to	3172
--	------

Members' statements

Services en français , M. Guindon	3173
Case of Harry Kopyto , Ms. Gigantes	3174
Assistance to farmers , Mr. Stevenson	3174
Royal Canadian Legion , Mr. Philip	3174
Highway construction , Mr. Ward	3175
Bravery awards , Mr. Bernier	3175

Statements by the ministry and responses

Outstanding Disabled Athlete of the Year Award , Hon. Mr. Eakins	3175
Hospital funding , Hon. Mr. Elston, Mr. Andrewes, Mr. D. S. Cooke	3176
Occupational health and safety , Hon. Mr. Wrye, Mr. Gillies, Mr. Martel	3177
Automobile insurance , Hon. Mr. Kwinter, Mr. Ashe, Mr. Swart	3179

Oral questions

Developmentally handicapped , Mr. Grossman, Hon. Mr. Elston	3181
Education funding , Mr. Grossman, Hon. Mr. Conway	3182
Extra billing , Mr. Rae, Hon. Mr. Elston	3183
Occupational health and safety , Mr. Rae, Hon. Mr. Wrye	3184
Agricultural funding , Mr. Stevenson, Hon. Mr. Riddell	3186
Occupational health and safety , Mr. Martel, Hon. Mr. Wrye	3186
Provincial symbol , Mr. Rowe, Hon. Mr. Nixon	3187
Occupational health and safety , Mr. Martel, Hon. Mr. Wrye	3187
Robert Smart Centre labour dispute , Mr. Cousens, Hon. Mr. Sweeney	3188
Downsview rehabilitation centre , Mr. McClellan, Hon. Mr. Wrye	3189
Property assessment , Mr. Gregory, Hon. Mr. Nixon	3189
Hiring practices , Mr. Mackenzie, Hon. Mr. Wrye	3190
Landfill site , Mr. Dean, Hon. Mr. Bradley	3191

Petitions

Sunday racing , Ms. Bryden, tabled	3191
Boundaries Act decision , Mr. Wildman, tabled	3191

Committee of the whole House/Comité plénier

French Language Services Act , Bill 8, Hon. Mr. Grandmaitre Mr. Guindon, Mr. Shymko, Mr. Rae, Mr. Villeneuve, Mr. Pouliot, Mr. Poirier, reported.	3192
Loi de 1986 sur les services en français , loi 8, l'hon M. Grandmaitre, M. Guindon, M. Shymko, M. Rae, M. Villeneuve, M. Pouliot, M. Poirier, rapportée	3192

Other business

Recess	3169
Rick Hansen , Mr. Speaker	3170
Remembrance Day , Hon. Mr. Nixon, Mr. Harris, Mr. Rae, Mr. Speaker.	3172
Visitors , Mr. Speaker	3181
Visitors , Mr. Harris	3191
Business of the House	3209
Adjournment	3209
Erratum	3209

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Bernier, L. (Kenora PC)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
 Cousens, W. D. (York Centre PC)
 Davis, W. C. (Scarborough Centre PC)
 Dean, G. H. (Wentworth PC)
 Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Foulds, J. F. (Port Arthur NDP)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Grandmaitre, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Gregory, M. E. C. (Mississauga East PC)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Guindon, L. B. (Cornwall PC)
 Harris, M. D. (Nipissing PC)
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
 Mackenzie, R. W. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 McGuigan, J. F. (Kent-Elgin L)
 Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)

Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Poirier, J. (Prescott-Russell L)
Pouliot, G. (Lake Nipigon NDP)
Rae, R. K. (York South NDP)
Ramsay, D. (Timiskaming L)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Ruprecht, Hon. T., Minister without Portfolio (Parkdale L)
Scott, Hon. I. G., Attorney General (St. David L)
Shymko, Y. R. (High Park-Swansea PC)
Stevenson, K. R. (Durham-York PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Van Horne, Hon. R. G., Minister without Portfolio (London North L)
Villeneuve, N. (Stormont, Dundas and Glengarry PC)
Ward, C. C. (Wentworth North L)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)



No. 62

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, November 12, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, November 12, 1986

The House met at 1:30 p.m.

Prayers.

POLISH INDEPENDENCE DAY

Hon. Mr. Nixon: The member for Windsor-Walkerville (Mr. Newman) spoke to me earlier and brought to my attention that this is an important national day for the Polish people. I had indicated to him that it might be appropriate if he had an opportunity to bring this to the attention of the House and allow other members to comment on it. We are still doubtful about what the proper procedure is.

I noticed when you called the first order, Mr. Speaker, that the member rose. I think it was his intention to ask for unanimous consent to raise this important matter. I hope you will give consideration to the possibility of doing that.

Mr. Speaker: I am sure all members have heard the request. Is there unanimous consent?

Agreed to.

Mr. Newman: Today I would like to take this opportunity to recognize Polish Independence Day. Yesterday, November 11, was a day on which we paid tribute to the sacrifice of those brave men and women who gave their lives in the defence of their country. For Canadians of Polish heritage, that day has added significance. It is Polish Independence Day.

After the occupation forces were expelled from Poland in 1918, a free, reunited and independent Polish state was established on November 11. For Polish Canadians, November 11 means freedom, the freedom they continue to hope for in their native land.

We are reminded by the anniversary of Polish Independence Day that the price of freedom is eternal vigilance and that true peace must be built on the principles of freedom, liberty and democracy for all people in all nations.

By their observance of that day, Polish Canadians keep alive the hope and the struggle for a free and independent Poland and ensure that Canadians continue to appreciate how fortunate they are to live in a society that is based on the principles of liberty, justice and tolerance for all.

Mr. Shymko: I join the member for Windsor-Walkerville in commenting on the very special

day that was celebrated yesterday by all Canadians as Remembrance Day.

To many communities, such as the Polish community, it was a very special day indeed, when they remembered those of their forbears who fought for the independence of their homeland in the midst of a war that was supposed to end all wars some 68 years ago. The elimination of the former czarist empire and the Austro-Hungarian Empire had brought to fruition the creation of many independent states for many peoples in eastern and central Europe.

It is indeed a special occasion when the Polish communities, not only in Ontario and Canada but also throughout the world, celebrate this very special day. It is also a reminder to all of us in Ontario and in Canada how quickly liberties we take very often for granted can be crushed by the oppression of regimes and governments that believe in the law of force rather than the force of law. For as long as we will be privileged to represent free constituents in a free society, we should remember these special occasions.

A couple of weeks ago, we spoke on the anniversary of the independence of the Czech and Slovak people, which occurred some weeks before Remembrance Day in the conclusion of that terrible war. We will be celebrating and commenting on the anniversaries of many communities in Canada which remember dates that did occur in 1918, at the beginning of that year and following the Peace of Versailles.

As we witness the tragic recurrence of oppression that has taken over countries such as Poland following the Second World War, we see their liberty was very short, some 20 to 22 years between the First and Second World Wars. As we watch the crushing of the free trade union, Solidarity, and as we watch the unwavering spirit that continues to hope and fight for freedom, human rights and national liberty, we give them both moral and political support in our resolutions in this free society that some day they will be able to enjoy liberty, justice and peace with the rest of humanity.

Mr. Rae: As the previous members have said so eloquently, November 11 is a day which marks a milestone in the history of Poland, but it would be unfair to the history of that great

country to talk only about the events of 1918 and the birth of the modern nation of Poland out of the czarist empire.

No country and no culture have been more overridden, conquered, divided, subjugated, misruled and misdirected by the efforts of empires to the south, east and west to dominate that great country. Yet, if we look at the history of the past century, it has been the history of the courage of the Polish people and the ability of the Polish people to continue to express themselves, despite this extraordinary history of oppression, war, subjugation and great hardship, and also, if I may say so, of the triumph of a truly marvellous culture and civilization.

Together with my colleagues from the New Democratic Party, I am very proud of the fact that the first Polish words spoken in this Legislature were spoken by a member of our party, Dr. Janos Dukszta. We are very proud of Ed Ziemba's contribution to the famous debates in 1975, 1976 and 1977, which marked that. I am very proud of our association as a party, particularly with respect to recent events in Poland. I am proud of our support, the support of the free trade union movement in this country, for the Solidarity movement in Poland and of the continued very strong feelings, not only among Canadians of Polish descent but among all Canadians, for the independence, integrity and democracy that we know must one day triumph once again in the great country of Poland.

Hon. Mr. Nixon: Mr. Speaker, on a point of order: I know the honourable member would not in any way want to provide information that is not fully correct. I hope you will permit me to tell him that the member for Windsor-Walkerville, who was elected in 1959, was making comments on the Polish situation in Polish when the member for York South (Mr. Rae) was lying in his bassinet in the embassy in Mexico City.

Mr. Speaker: The member for York South: in regard to the bassinet?

Mr. Rae: If you want to talk about facts, I will certainly accept the correction from the very charitable and dignified House leader, who once again has elevated the tone of the debate with his interjection, as befits the performance of the dean of this Legislature, who indeed was here long before any of us was born. We certainly appreciate that comment.

I am prepared to stand corrected on the basis of the factual situation with respect to the contributions of the member for Windsor-Walkerville. Where I was when the member was elected and where I have been since is a matter of record,

which I think throws question on the rhetorical, overblown flim-flammy which has just come from the Treasurer.

Mr. Speaker: Before we get into too much flim-flam, the next order of business will be members' statements.

13:42

MEMBERS' STATEMENTS

ECONOMIC RECOVERY PLAN

Mr. Gordon: Almost a year has passed since the Minister of Labour (Mr. Wrye) and the then Minister of Northern Affairs and Mines, the member for Cochrane North (Mr. Fontaine), announced they were uniting with the federal government in the immediate creation of a \$5-million economic recovery plan for the Sudbury region. Now, after a cold and bitter Sudbury winter and a wet summer, with area unemployment still running at 15 per cent and a welfare deficit of \$1 million, last week administrators of this immediate program, for no apparent reason, echoed their former remarks and resurrected their \$5-million plans. All this government has done with this type of stalling tactic is to make the business and political communities in Sudbury increasingly sceptical of this government's motives.

This announcement comes without the government having put a penny of that \$5 million towards job creation and, ironically, it comes on the heels of another layoff by Falconbridge, which has offered financial assistance to the recovery plan. Especially alarming about this so-called recovery is the fact the government has renewed its demands for new and innovative business plans without revealing any specifics. The government knows Sudbury businessmen have been adopting new and innovative approaches for years. They have had to, just to stay alive while the government sits on its hands promising all manner of financial aid.

Can the Premier (Mr. Peterson), as Minister of Northern Development and Mines, please enlighten me and the hard-working and anxious people of Sudbury, when is that \$5 million going to be put to its intended use?

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: In his statement to the Legislature on November 5, the Minister of Labour (Mr. Wrye) attempted to create the illusion that he was getting tough with companies that violate Bill 70. He very carefully used weasel words. Let me quote: "The number of cases referred to legal branch for possible prosecution was 276. This is

an increase of 155 per cent." The words you have to look at are "possible prosecution," not actual prosecutions.

It is interesting that on February 20 of this year I asked the Minister of Labour to provide me with the number of actual prosecutions against workers and the number against corporations. I did not get an answer. I wrote to the minister on March 7 and I am still awaiting an answer. On May 13 I raised this matter in the Legislature to find out who was being prosecuted. On July 13 I wrote the minister again, asking to find out who was prosecuted in this province. I am still waiting for the answer, despite the fact I am told that information is available and is sent out monthly to the various district offices.

What is so strange about this minister is that while he talks tough, nothing happens. The minister said some time ago there would be no repeat orders. There were roughly 85,000 orders last year. There are no repeat orders shown this year because that designation of repeat orders in the annual report of the Ministry of Labour has been removed. We will never know whether there are repeat orders. He has simply removed it from the ministry's own report.

KING CLANCY

Mr. Sargent: On behalf of a lot of people in Ontario, it would be very timely to express the feelings of all members of this House on the passing of King Clancy and to pay tribute to a great Canadian.

About 20 years ago, when Syl Apps was a member of this Legislature, he made arrangements with Harold Ballard for members of the House to play hockey in Maple Leaf Gardens at no charge. During all this time, King Clancy would often visit the dressing rooms to sit around and tell a few lies with us.

I know I speak for all of us here and all the people in Ontario who love good, clean sport when I say he was a hell of a guy. He was always available to speak for sports funding at sports banquets across the province at no charge. It was a labour of love for King Clancy. He loved the people, the game of hockey and good sportsmanship. In his words, he never met a man he did not like. He would not want any flowery speech at this time, but I think it is enough to say to King up there, "Thanks, King, it was wonderful to know you."

In the morning, King Clancy will be lying in state at Maple Leaf Gardens from 9 a.m. to 12 noon, and the service will be held at 1 p.m. at St. Michael's Cathedral.

Mr. Rowe: I am pleased to rise today to join the member for Grey-Bruce in paying tribute to a great man, the vice-president of the Toronto Maple Leafs and hockey's unofficial goodwill ambassador. Francis Michael Clancy inherited the nickname King from his father. It was a name he lived up to in the true meaning of the word. He was a great man and leaves all of us with pleasant memories of his many contributions and of his character.

My colleagues and I know all members of the House join with me in expressing our sincere sympathies to the Clancy family and to all those in the hockey world.

PROPERTY ASSESSMENT

Mr. McFadden: On November 3, I asked the Minister of Revenue (Mr. Nixon) to release to this House a study carried out by his officials setting out the tax assessments that would apply to individual properties in Toronto if the government's market value assessment scheme were imposed. The minister refused to release those figures.

The taxpayers in Toronto have the right to know what will happen if the provincial government gets its way and market value assessment is imposed. One thing we do know is that many people will face significantly higher taxes. Reports released to date by the provincial government indicate that property taxes will be increased on 83 per cent of the homes in ward 10 and 75 per cent of the homes in ward 11 in the city of Toronto. More than half the home owners will face increases in excess of 20 per cent.

Market value assessment as proposed by the province will create a real hardship in older neighbourhoods that home owners have worked hard to maintain for decades. These home owners, many of whom are senior citizens, should not now be undermined and threatened. As a consequence, I urge the government to leave Toronto alone and stop its subtle and not-so-subtle tactics to force market value assessment on the city.

LAND TRANSFER

Mr. D. S. Cooke: I rise to express my happiness with the decision of the cabinet to enter into an agreement with the city of Windsor to swap lands along the river front for some lands the Ontario Land Corp. currently owns in my riding. I must express my disappointment that I had to learn about this through the press rather than having the courtesy of a notification from the minister.

This will be a major development for the community and will result in 34 acres of land in downtown Windsor being added to the park land that already exists in the city. It will spark additional tourism. I expect the park land development will include such things as cafés, an amphitheatre, passive recreational park land and perhaps a marina development.

All the people in the city of Windsor will be very happy with this development. It is a major economic boost to our community. I only hope the land that has been transferred in the east end to Canadian National through this deal will not go simply into high-income housing, but that there will be a mix in the development of housing so the needs of the entire community will be met in that area. There is a huge amount of land that CN will be taking over. I hope we will have a mix of low-income housing and housing to meet other needs of people in our community.

In conclusion, I would like to pay tribute to former mayor Bert Weeks and the current mayor, David Burr, who had a lot to do with today's announcement.

BLOCK PARENTS

Ms. E. J. Smith: The Lieutenant Governor has again seen fit to honour a London citizen for her outstanding service not only to Ontario but also to Canada. Ms. Gertrude Rose has been honoured by the Lieutenant Governor for her outstanding service. Along with a group of other London women, including Margaret McGee, she started Block Parents 18 years ago.

Everybody in this House and, indeed, this province is familiar with the Block Parents signs that stand in the windows of so many homes to make all children feel secure to and from their schools or places of play. Of the 1,100 communities that have joined Block Parents, 300 are in Ontario. We in London are proud that people from our community started this fine organization. We thank the Lieutenant Governor for recognizing this service and thank these very strong women for starting it.

Ms. Rose is the only volunteer serving on the committee of the Solicitor General (Mr. Keyes) dealing with crime prevention. I am happy to honour her today.

13:52

STATEMENTS BY THE MINISTRY AND RESPONSES

FLOODING

Hon. Mr. Kerrio: I wish to take this opportunity to update the House on the flooding situation along the Great Lakes.

As members know, strong westerly and southwesterly winds last weekend caused high lake levels and waves that led to some flooding along Lake Erie, Lake Superior and Lake Huron and along Georgian Bay. I am pleased to report, however, that this flooding was not as severe as originally anticipated, in part because the high winds were gusting, which limited the extent of the flooding.

On Monday, I toured the Port Colborne-Port Dover area, where there was some flooding. Later that day, I flew over flooded areas in the Collingwood-Parry Sound area.

Staff from a number of ministries are providing assistance and helping deal with this situation wherever possible. The Ministry of Municipal Affairs is providing low-interest loans to owners of private property to allow them to undertake protective works or to repair damaged structures. The Ministry of Natural Resources is providing a technical advisory service to property owners who want to repair shoreline damage. The ministries of Transportation and Communications and Agriculture and Food are assisting with specific repair projects.

Members may recall I advised the House last April that I had appointed my parliamentary assistant, the member for Kent-Elgin (Mr. McGuigan), to head a committee to study long-term solutions to shoreline management along the Great Lakes. This summer, committee members set up more than 20 public meetings, which were attended by 1,500 people. They collected information and opinions about the management of the Great Lakes shoreline. This committee has just completed its report, which I expect to table in the House before the end of the month.

I know members appreciate there is nothing we can do to control the extreme water level fluctuations in the Great Lakes. What we can do, and what we are doing, is to look for ways to minimize the damage and hardship caused by those high water levels. I expect to be returning to this House shortly with some proposals that will allow us to deal with the long-term problem of shoreline flooding.

Mr. McCague: I would like to respond to the first gas statement the Minister of Natural Resources made today. We were pleased he visited the area and noted the serious flooding conditions, particularly in my area of Georgian Bay. What he says here today is of little consolation to those people whose properties have suffered tremendous damage.

He recites what he is doing, and I will acknowledge his people in the Ministry of Natural Resources are offering good advice to property owners; but then he turns it over to the Minister of Municipal Affairs and tells us he has money to help these people. In a call to that ministry this morning, I found it is out of money already. It is out of money, and the minister is making big noises about the low-interest program he has. There was \$100,000 approved for Wasaga Beach. There are applications for \$1.1 million and the minister does not have even the \$100,000 to help them. What is he going to do for the property owners?

Mr. Harris: I also want to refer to the first gas statement made by the Minister of Natural Resources. It is very intriguing, and I would like to refer to one section where the minister says, "I know members appreciate that there is nothing we can do to control the extreme water level fluctuations in the Great Lakes."

Perhaps the minister has not been listening to the Coalition of Great Lakes Residents—when we look at both sides of the border, there are up to one million people—and the representations they have been making to this government, to the government of Canada and to the government of the United States, and does not know the disappointment they have felt, particularly with this government in Ontario and with this minister.

The minister knows there are many things that can be done and should be done; many of them have been pointed out to him. The Wainfleet township report came out with a series of recommendations, all positive, all endorsed by this party, that the government should be acting on. That report has been in the minister's hands now for more than a year.

As well, plan 25N has been put forward, has been proposed and has been circulated in a serious way for about a year and a half now. The minister and members of his caucus have attended meetings. Maybe he should talk to the member for Essex South (Mr. Mancini), because he has heard of many positive things that can be done.

For the minister to come here in this House and say, "I know members appreciate that there is nothing we can do" is an absolutely misleading statement. Members know there are many things he can do. The member for Essex South knows there is a lot he can do. I am surprised he is not on his feet responding to the minister's statement and objecting.

A lot can be done, and it is time the minister got off his feet and did it.

Mr. Rae: I want to respond to the statements made by the Minister of Energy and Minister of Natural Resources who, like Gilbert and Sullivan, is one and the same person.

First, I will comment on the statement that the Minister of Natural Resources made with respect to the flooding that has taken place over the last week.

I am only sorry my colleague the member for Essex North (Mr. Hayes) is not here, because he has done a superb job on behalf of his constituents with respect to this problem. He and I had a meeting last year that involved dozens of people along the shores of Lake Erie talking about the extent of the problem. In due course, the minister's comment on page 3 of his statement, "I know members appreciate that there is nothing we can do to control the extreme water level fluctuations in the Great Lakes," will perhaps be an appropriate epitaph for the political career of the minister. A statement by a politically responsible minister in 1986 saying there is nothing the government can do with respect to a problem of flooding is an utterly disgraceful abdication of responsibility in the face of a natural disaster.

There are civilizations, such as that of the Egyptians going back 4,000 years, that have had to respond to the problem of flooding. It would be ludicrous to suggest nothing can be done to control the problem of flooding. It can be controlled. One can go back to China, to the Euphrates, to the Ganges. One can go back through the history of mankind. The history of mankind is the history of those civilizations that have attempted to deal with the problem of controlling flooding. Tell the Dutch. If the minister had been responsible for the natural resources in Holland, that entire nation would still be under water. That is the reality of what we have been left with by the minister. That is not good enough.

NATURAL GAS PRICING

Hon. Mr. Kerrio: On October 30, the federal Minister of Energy, Mines and Resources announced further steps towards the deregulation of the natural gas industry in Canada. Today I will outline to the Legislature the probable impact on Ontario of these actions. On October 31, 1985, the governments of Canada, British Columbia, Alberta and Saskatchewan, entered into an agreement on natural gas markets and

prices. On November 1, 1985, I reported to the House on that agreement.

On December 3, 1985, I announced the steps the Ontario government was taking to implement that agreement, even though we were not a party to it. That agreement made it possible for large users of natural gas to buy gas directly from the gas producers to obtain lower prices. A number of large users have taken advantage of this arrangement, either specifically or by using the opportunity of direct purchase, to negotiate price discounts with their gas suppliers. However, for most gas users in Ontario the agreement froze prices until November 1, 1986. The agreement contemplated that prices in gas supply contracts with Ontario-based distribution companies would be renegotiated by November 1. I am pleased to report that this renegotiation has been completed.

Reductions in the wholesale price of natural gas are being put in place in Ontario markets. Last year's agreement also contemplated that federal and provincial regulatory boards would establish transportation rates to facilitate those developments. I want to pay tribute to the chairman, the members and the staff of the Ontario Energy Board for the expeditious and constructive way in which they are adjusting the regulatory framework in Ontario to this new environment.

The agreement also anticipated that the National Energy Board would review its gas export tests and procedures to ensure they were consistent with changing market conditions. The federal board undertook this review and relaxed the protection of Canadian needs to create greater access for natural gas producers to the export markets. The Ministry of Energy participated in this hearing and opposed any reduction in the protection of future Canadian requirements. These and a number of other regulatory changes were to be made by November 1, 1986, but a major responsibility for adjusting to natural gas deregulation was assigned to the private sector: gas distribution companies, pipeline companies and gas producers. These companies have renegotiated the prices in their contracts.

In recent weeks, however, gas producers and the government of Alberta sought additional changes in the regulation of the quantities of gas available for export and export prices. After officials of the federal Department of Energy, Mines and Resources informed officials of the Ontario Ministry of Energy that the federal government was contemplating further changes to export policy, I wrote to the federal minister. I

indicated that Ontario cannot support yet another relaxation of Canada's gas reserves test, which puts future supplies for all Canadians at risk.

Ontario also objects to any weakening of the adjacent-border test for gas export prices. On October 24, I met with the federal minister personally and discussed our concerns with him. Following that meeting, he wrote to me outlining his responses to those concerns. I am tabling with this statement copies of my letter to Marcel Masse and his letter to me on this subject.

In a speech in Calgary on October 30, Mr. Masse publicly announced his actions regarding natural gas exports. However, in letters made public by Mr. Webber, the Alberta Minister of Energy, further light is shed on the minister's intentions. Mr. Masse announced that he had asked the National Energy Board to carry out a further review of the natural gas export procedures. In his Calgary speech, Mr. Masse also emphasized that the National Energy Board has the sole legislative responsibility to protect reasonably foreseeable domestic natural gas requirements. He also stated that the government of Canada did not intend to amend or interfere with the board's mandate in this area.

Let me assure the House that in the past Ontario has also looked to the National Energy Board to protect the needs of gas users in Ontario. When gas shortages were widespread in the US markets in the 1970s, all Canadian gas users relied on the National Energy Board to ensure that pressure from the US gas market, which is 10 times greater than ours, did not distort prices and supply security in Canada.

We rely on the National Energy Board to be independent and to protect the reasonably foreseeable requirements of Canadians, whether or not those requirements are reflected in current contracts. That has been the National Energy Board's approach to this matter in the past.

However, I must alert this Legislature to the fact that in a letter to the Alberta Minister of Energy, Mr. Masse indicates he does not support the approach the National Energy Board has taken to protect the future needs of Canadians. In this letter he suggests the needs of Canadians should be protected only to the extent that natural gas requirements are reflected in natural gas supply contracts.

This statement in the letter to Mr. Webber came as quite a surprise to me. Such a position was not mentioned to me in our meeting or in the federal minister's subsequent letter to me; nor were these views, expressed in his letter to the Alberta minister, consistent with the assurances

in his speech in Calgary regarding the independence and responsibilities of the National Energy Board in gas export matters.

I will be seeking further clarification as a result of this somewhat contradictory state of affairs, but let there be no confusion about Ontario's position. We seek continued protection of all Canadian requirements that are reasonably foreseeable. The needs of future Canadians and future Canadian businesses are foreseeable today. Although those needs cannot be contracted for today, they must be protected. As in the past, we are expecting the National Energy Board not to allow additional gas exports unless there is natural gas that is surplus to the present and future needs of Canadians and we are relying on the board's responsibility and independence in this area.

The Ministry of Energy will participate in the board's review and will insist upon the protection of the needs of Canadians. To provide honourable members with a complete background package on these issues, I am tabling today the statement of the federal minister, his letters to the chairman of the National Energy Board and his exchange of letters with the Alberta Energy minister.

On October 30, Mr. Masse also announced the end of the federal regulation to ensure that the price of Canadian gas sold in export markets not be less than the price in the Canadian market adjacent to the point of export. This will be replaced with an export price monitoring policy. This action may result in the unacceptable situation of Canadian gas being sold at a lower price to a US user than that a Canadian user pays just across the border. The possibility that an industry in Buffalo, for example, would pay less for Canadian gas than a competitor in Hamilton is clearly intolerable.

Finally, the federal minister has announced that he will introduce legislation to clarify the jurisdiction of the National Energy Board to deal with what is known as the double-demand-charge problem. This is a welcome change.

Let me conclude by indicating that I commend my federal counterpart for his initiative of greater consultation on these matters than in the past and for convening a conference of energy ministers in January. I will be seeking an early opportunity for the federal minister to assure Canadian natural gas users that their future needs for this important and nonrenewable energy form will be protected.

Mr. Andrewes: I want to respond to the statement by the Minister of Energy. I am glad he

has taken that hat from the shelf and dusted it off. We have not heard much from him in that capacity these days. The words in his statement are those of a pussycat compared to the fire and brimstone we heard from this minister a year ago.

In paragraph 3 of the first page, the minister indicated he announced a year ago his moves to implement the natural gas policy of the federal government even though he was not a party to those discussions. He is almost apologizing for his absence from the table. However, his objections to the protectionist aspects of the natural gas policy, in contrast to his other statements and the other aspects of the agreement, do not appear to be in keeping with the stance taken by the Premier (Mr. Peterson) at recent first ministers' conferences where his words and efforts were in the so-called national interest. I suggest that the minister is perhaps taking away some of the credibility from the speculation of Douglas Fisher and others about the Premier's political future.

All this rhetoric is an apology for not being at the table when the discussions were being held. We urge the minister to correct this. We urge him to earn and demand the respect that Ontario should have in those discussions because the economic future of this province depends on it.

Mr. Rae: Further to the minister of flooding and of gas, on his statement with respect to natural gas deregulation, I have been reminded of my past today by the Treasurer (Mr. Nixon). In my more recent past, I was present when it was the Liberal Party of Canada that authorized the building of the so-called prebuilt pipeline out of Alberta into the United States, which started and increased the pressure for exports to the United States.

This country has the Liberal Party of Canada to thank for the sellout of those resources, starting back in the 1980s, and we are now bearing the fruit of that sellout by the Liberal Party of Canada. I was there. I remember that debate very vividly.

The minister's job on behalf of the consumers of this province is to make sure that it is the consumers of this province who get a reduction that corresponds to the reduction in price that is supposed to be going on in the free marketplace the minister is advocating.

I would like the minister to stand in his place today and say the consumers and home owners of this province, and not just the big industrial users, have benefited from deregulation. He cannot show that it has happened. The minister has not done it yet. It has not happened yet

because the Liberal Party of this province is listening to the big guys, the big utilities, the big users. It is not listening to the little people. It is not listening to the people who need to get gas at a competitive price. It is listening to Consumers' Gas and the big guys, to the monopolies. It is not listening to small business or to the home owners who want to get that kind of break.

This is the kind of response we expect from a Minister of Energy in this province. We expected the Minister of Energy to be insisting on a place at the table last year, to be saying Ontario required a place at the table because we cannot trust Brian Mulroney and the Tories to defend consumers. It has become clear we cannot trust the Liberal Party of Ontario to defend consumers, who still have not seen the benefit they deserve from this deregulation, which should be producing lower prices.

YOUNG LEADERS TOMORROW PROGRAM

Hon. Ms. Munro: I have the great pleasure of rising today to announce the provincial launch of an exciting new program which will bolster the management skills of our young people and strengthen Ontario's community organizations.

The Young Leaders Tomorrow program is a special two-year program sponsored by my ministry in co-operation with the Ontario Association of Volunteer Bureaux and Centres. It will provide 880 young people aged 15 to 24 with one-year internships on the boards of directors of multicultural and cultural organizations in 22 communities. In addition to their board experience, these young people will also receive 40 hours of valuable leadership training.

Public libraries, art galleries, multicultural organizations, native and francophone groups, theatres and dance companies will be eligible to appoint a young leader to the board of directors or executive committee of their organization.

By dovetailing the energy and enthusiasm of youth with the experience and wisdom of boards and committees, I know we have a winning combination. The success of the two pilot projects my ministry introduced last year in Thunder Bay and Ottawa is proof of this. Young leaders and community organizations worked hand in hand on projects and events. The young leaders gained tremendously valuable experience. Decision-making, planning and management skills were developed. Boards of directors gained from fresher perspectives and new opinions.

In the next few weeks, the Young Leaders Tomorrow program will be inaugurated through a series of local community announcements in the following locations: Burlington, Kingston, London, Ottawa, Peel region, Sault Ste. Marie, Sudbury, Toronto and Windsor.

Ten new programs will be offered throughout Ontario for the 1987-88 year.

I am very pleased to lend my full support to the Ontario Association of Volunteer Bureaux and Centres in conducting Young Leaders Tomorrow. This co-operative venture is part of my ministry's community partnership approach in the delivery of our programs.

VISITOR

Mr. Speaker: I notice in the lower east gallery a former member for London South, John Ferris. Please join me in welcoming him.

REMARKS BY PREMIER

Mr. Speaker: Before I call for oral questions, I would like to inform the members that last Wednesday the member for Sudbury (Mr. Gordon) rose on a point of order concerning remarks made by the Premier (Mr. Peterson). I said I would have a look at the remarks made. I have carefully reviewed the record for that day.

Our standing orders provide in rule 9 of section 19(d) that members shall not impute false or unavowed motives to another member. As the Speaker does not enter into debate, it is important that members observe the rules of debate and draw the Speaker's attention to possible infractions of these rules. It is also important that when infractions take place, members rectify the situation so that order and decorum in the House are restored.

However, upon my review of the record, I cannot find where remarks of the Premier referred to by the member for Sudbury would be described as being out of order and technically not referred to him. Therefore, I must conclude the member does not have a point of order.

14:18

ORAL QUESTIONS

TARIFFS ON SOFTWOOD LUMBER

Mr. Speaker: The member for Fort William.

Hon. Mr. Scott: Mickey for leader.

Interjections.

Mr. Hennessy: Maybe it would be an appropriate time to run for the leadership.

My question is for the Minister of Industry, Trade and Technology. The minister should be

aware of the ongoing efforts to save the Great Lakes Forest Products waferboard mill in Thunder Bay and the 150 jobs at the mill. For example, the mill union, following recommendations of the Rosehart report, has agreed to negotiate a new contract with the company. The government now has had nearly three months to review the Rosehart report. The union has done its part, but the government's bungling of the softwood tariff issue has put 1,000 jobs in the north at risk.

Will the minister tell us when he will be providing financial assistance to help modernize the mills and to help get those 150 laid-off employees back on the job?

Hon. Mr. O'Neil: The number of employees laid off and the potential layoffs are a great concern to this government and to me as the minister. At present, those matters are under consideration.

Mr. Pope: The member for Fort William (Mr. Hennessy) has brought to the minister's attention a very serious problem that has been sitting there for three months. We have brought to his attention a number of cases in northern Ontario where bush workers and millworkers have been laid off, principally because of his bungling of the Washington tariff case. What is he going to do in Washington and Ontario to help the 150 laid-off workers from the Grenville Martin mill in Sault Ste. Marie?

Hon. Mr. O'Neil: Had the member been here last week, he would have known that last week the Minister of Natural Resources (Mr. Kerrio) did accompany Pat Carney to Ottawa. We are continuing our discussions with officials from the United States Department of Commerce. We will continue to fight this issue to the end to see that it is resolved properly.

Mr. Pope: If the minister is fighting so hard to protect the Ontario lumber industry and Ontario jobs, why did he not file a notice requesting a hearing prior to the final determination on the tariff case in Washington?

He had until early November to file a notice under the provisions of the preliminary determination in order to stand up and fight for Ontario workers and Ontario industries. He did not file a notice; he will not be a party to the final determination hearing on December 1 in Washington. Why is he refusing to fight in Washington for Ontario workers?

Hon. Mr. O'Neil: We are continuing to fight for the people of Ontario, especially those affected in the north. We are following the

process. We are working with the federal government and the other provinces concerned and we are certainly doing our share.

SEWAGE TREATMENT PLANTS

Mr. Partington: My question is to the Minister of the Environment. The minister takes much pride in the way he is dealing with the environmental crises facing this province, but in the face of his so-called pollution abatement programs we still have major pollution problems in our own backyards.

How can the minister justify a cutback of \$1.5 million in municipal transfers for sewage treatment programs at a time when the amount of such transfers should be increased substantially?

Hon. Mr. Bradley: The member for Brock would know that within a particular fiscal year there is an opportunity, when pressures arise in one specific area, to provide additional funds to municipalities which may be in a position to utilize them for either the purposes of providing drinking water or more often dealing with sewage problems.

As the former Minister of the Environment, who is here today, would tell the member, there are a number of municipalities which make applications for funds and the ministry puts them in on a priority basis as they relate to the actual pollution problems that exist in a specific area. We then find out that a number of municipalities, for their own reasons, do not decide to proceed within a specific year.

When they do not decide to proceed, we are then able to move down the list to other municipalities that indicate an interest in obtaining those funds. The member will find the experience has been over the last several years that all the municipalities that are able to utilize funds and would be eligible for such funds are in a position to have those funds available to them.

Mr. Brandt: The minister is well aware that the city of Toronto has put before him a remedial plan of action to extend storm sewers in the city of Toronto and also to expand on holding tanks in the east Beaches area in order to reduce the amount of pollutants that are currently entering the natural environment.

Why did the minister not agree to participate in funding the study that it is proposed will be undertaken with respect to that plan and why did he not commit even more dollars to reduce the amount of pollution, which is directly related to the lack of separation of storm and sanitary sewers? He must recognize that there is no more effective way to clean up the environment than

the way that has been suggested by my colleague in relationship to the question I am raising with the minister now.

Hon. Mr. Bradley: I always enjoy the opportunity to be lectured on how to run the Ministry of the Environment by the former Minister of the Environment, who has had a good deal of experience in this matter. In fact, I consult him from time to time about matters of this kind to draw on his experience. Sometimes I accept his advice but more often than not, as a member of a new government, I do not accept it.

In specific reference to his question, the member will know our government has put forward a substantial amount of additional money related particularly to what is generally called beaches cleanup but really deals with environmental and pollution problems within Metropolitan Toronto and its various municipalities. In addition, I have discussed with the federal minister at the annual meeting of the Canadian Council of Resource and Environment Ministers the possibility of obtaining additional funding, or new funding in this case, from the federal government.

I have indicated a clear willingness to accelerate our program. The municipality is on side, the province is on side and we are waiting for the member's friends in Ottawa to put forward their money. We can accelerate this program to a very great extent. The member identifies important ways of dealing with the pollution program. That is, in some cases—

Mr. Speaker: Supplementary.

Hon. Mr. Bradley: —by the separation of storm and sanitary water, but in most cases it is the idea of holding tanks and other mechanisms to retain the water, which—

Mr. Speaker: Supplementary.

Hon. Mr. Bradley: —I think could be very effective.

Mr. Speaker: Order. The member for Brock.

Mr. Partington: The minister is trying to pass off his responsibility for sewer and water financial support to the federal government. The report on the Welland Canal and the Twelve Mile Creek cited municipal sewers as being major causes of pollution. When will the minister face that problem and come up with substantial additional funding for much-needed sewer projects for municipalities around the province?

Hon. Mr. Bradley: The member is correct in identifying the fact that we have spent a substantial amount of money. He knows, for instance, that a study has been undertaken under

the auspices of the Ministry of the Environment. We are providing \$750,000, and the municipalities some additional funds, for a \$990,000 specific study to pinpoint the actual sources so we can eliminate those sources of pollution of the Twelve Mile Creek.

In addition, on behalf of the government of Ontario, I had the opportunity to present a cheque for \$180,000 to Dr. Ian Brindle, Dr. Michael Dickman and Dr. Arthur Houston, who are working on the Twelve Mile Creek and the old Welland Canal. We have increased overall Ministry of the Environment funding from \$314 million in 1985-86 to \$361 million in 1986-87.

I know the member will find that my colleague the Treasurer (Mr. Nixon) has been sympathetic and helpful in providing funds to fight pollution in this province at a rate that simply could not have been comprehended in the past when the previous government was busy spending its money on other priorities.

AUTO PACT

Mr. Rae: I have a question for the Premier about the auto pact and its role in the free trade discussions with the United States. If the government of Ontario has been on top of all these discussions and has been fully consulted, can the Premier explain why the Deputy Minister of Industry, Trade and Technology was desperately on the phone to the New Democratic Party research office on Friday trying to get hold of the memorandum telling where the federal government was really going?

14:30

Hon. Mr. Peterson: We are aware that a lot of stuff is bootlegged out to the member's people, and we want to go to the fastest source possible to get some of this information. That memo, which I gather was sent to Mr. Broadbent in a brown envelope, we assumed was in the member's hands. We assume that any time Mr. Broadbent speaks, the member speaks as well on the very same issue.

I do not want to make light of a very serious issue. We were not aware of that memo, which may or may not be influencing the discussions. Our views on that matter are extremely clear, as are the member's. I assure him I will continue to pursue the line we have pursued in the past.

Mr. Rae: What is the line? We are entitled to know. We have now been told the view of the federal government. To quote from the words of the memorandum: "There remains a widespread belief that the auto pact safeguards are still central to the health of the industry. This

misconception is an obstacle to necessary change in automotive trade rules."

The Premier will know that on Friday in the House of Commons, in response to several questions from members of our party, Mr. Wilson never at any point gave the assurance that the auto pact was not going to be on the table in the discussions. I wonder how the Premier can possibly square that failure on the part of Mr. Wilson with his own comment in the Legislature on June 3 in response to questions from me on this very subject, in which he said: "With respect to the question about the auto pact...there was a very firm assurance from the Prime Minister last night that he would not raise the auto pact." That has clearly been broken now.

What does the Premier intend to do now to speak up and defend Ontario's interests just at the time when it is crystal clear that those interests are going to be sold out by the Tory government in Ottawa?

Hon. Mr. Peterson: I have the very same concerns that my honourable friend has on this matter. He should not ask me to stand in this House and justify Mr. Wilson, a leaked memo from someone or other, what Mr. Reisman has done or anything else.

Mr. McClellan: What is your position?

Hon. Mr. Peterson: My position is the same as it was when I discussed it with the member some time ago, the same position I put forward very forcefully to the Prime Minister, to my colleagues, to the trade negotiators and to anyone else who will listen. Very simply, it is that the auto pact should not be on the table under any circumstances.

Mr. Breagh: It is clear from the contents of that memo that, whether the Premier knows it or not, the auto pact is on the bargaining table now. What is he going to do to end these talks before our auto industry goes down the drain?

Hon. Mr. Peterson: If the member is asking me to walk away from the table tomorrow, if that is his suggestion, then I am interested in hearing his views. This is something we are watching. We are putting forward our views on the matter in a very forceful way. The federal government knows our position. I cannot speak to every little memo in the hands of the federal government, nor would I try to justify them. I am sure the member understands that. There are hundreds of memos written.

Mr. Breagh: Never mind the memos.

Hon. Mr. Peterson: Perhaps the member does not share my view, but I take the Prime

Minister at face value when he says it is not on the table. That is very clearly my view, and I assume it is the member's view. I am not sure it is the view of my friends opposite. That is where we stand, and the member knows it.

Mr. Rae: The Premier must be the only man in Canada who takes Brian Mulroney at face value at this stage of the game.

AUTOMOBILE INSURANCE

Mr. Rae: I have a question for the Minister of Financial Institutions about insurance. A member of my research staff phoned a number of insurance companies across the province, asking what kind of rate he would be quoted if he were a 21-year-old living away from his parents and driving a four-cylinder 1985 Plymouth Reliant K car with four doors. We phoned five insurance companies in Windsor, several in Hamilton, Sudbury and Toronto, all across the province.

What does the minister intend to do about the fact that the majority reply that call received was that the individual, with a clear driving record for three years, would qualify only for the so-called Facility Association rate, which the minister knows is the rate that is supposed to be confined to so-called high-risk drivers? What does the minister intend to do to stop our young people from facing insurance costs of \$2,800, \$3,000 or \$3,200 a year to be able to drive cars in Ontario?

Hon. Mr. Kwinter: I thank the leader of the third party for that question. He should know we have been in discussions with the insurance industry to do away with the rating based on age, marital status and sex, and that we have to develop a database that will rate drivers strictly on their experience and accident record. That is something we are working on.

Mr. Martel: How many years are you going to work on it?

Mr. Rae: By the time the minister ends up working on it, those drivers who are under 25 will be over 50 and may have an entirely different set of experiences with which to qualify for insurance.

Specifically, what is the minister going to do now for all those drivers who have been told there is no insurance for them? For example, one insurance broker, once he was told the age of the driver, said he had no market for people under 25. Another person said the rates would be the strict facility rate and no other. Another insurance broker in Toronto said, "You have to have five clean years of driving if you are under 25, and nobody else will qualify."

What does the minister intend to do for those tens of thousands of people who are being referred to the Facility Association rates quite unfairly, who are being charged rates of \$2,500, \$3,000 or \$3,500 a year? He says he is working on it. He has been working on it for months on end. The insurance companies are continuing to rip off consumers day after day, and he is standing here simply apologizing for those insurance companies every day of the week.

Hon. Mr. Kwinter: The problem of the Facility Association is very complex. The Facility Association is there to provide insurance for those hard-to-place drivers. What has been happening is that some insurance brokers, rather than send their customers to another broker, are referring them to the Facility Association. I am not happy with that solution, and we have talked to the Facility Association. It is not the problem of the Facility Association; it is the problem of some of the brokers who refer their customers there rather than advise them to seek insurance elsewhere.

Again, insurance is available. People have to shop around to get it; it is an area we are working on.

Mr. Rae: When the minister says in this House, "The insurance is there to get; all you have to do is shop around," he is insulting every single young person who does not have a parent under whose policy he or she can qualify. It is a direct insult because their experience utterly belies what he has just said in this House. The only shopping around they can do is to go from one company that will charge them \$3,000 to another company that will charge them \$3,200 or another company that will charge them the benign rate of \$2,850 a year.

When is he going to stop this colossal ripoff and stop standing in his place apologizing for the insurance companies, who are consistently ripping off the people of this province with their exorbitant rates?

Hon. Mr. Kwinter: Contrary to the accusations of leader of the third party, I am not defending the insurance industry. I am saying the marketplace is there. There are people who are getting insurance. If they shop around, they can find it.

EMISSION DISCHARGES

Mr. Dean: I have a question for the Minister of the Environment. Last January, when the Chipman plant in Stoney Creek had an accidental fire and subsequent gas emission, it was discovered that the Ministry of the Environment had no

equipment available enabling it to determine whether toxic gas had escaped into the air and that the ministry relied on equipment provided by the Chipman plant itself. The minister will recall that at that time he gave this House an assurance he would look into this inadequacy of his ministry.

In the light of that assurance, can the minister tell us why, when a similar incident took place yesterday at the I. Waxman and Sons Ltd. metal processing plant in east Hamilton, his officials again did not have the appropriate equipment and were forced to admit they were uncertain of what gas was being emitted until an air monitoring unit was sent in from Toronto?

14:40

Hon. Mr. Bradley: It is my understanding that the equipment was available on this occasion. There are about three different pieces of equipment. There is something called a TAGA 3000, which is a very large machine that costs \$1 million. It has to be calibrated before it can be utilized. It can be brought in on occasions of this kind. For instance, it was used for the situation in Mississauga.

Mr. Stevenson: Good heavens. They have a machine that has to be calibrated before it is used.

Hon. Mr. Bradley: It does. Some pieces of equipment can be used immediately, and some require to be calibrated before they actually go in to look at the potential substances one will be dealing with.

Mr. Stevenson: You are a walking genius.

Hon. Mr. Bradley: I know the PhD across from here will lecture us—

Mr. Speaker: Interjections are out of order. Please answer the question.

Hon. Mr. Bradley: There is also a unit called the MAMU, which is a smaller mobile piece of equipment, that is utilized. In addition, there is a third piece of equipment, which we purchased as a result of the situation the member refers to. He will recall the evening we had the public meeting. I drew it to his attention. It is mobile in that it can almost be carried on a shoulder. It is very effective at determining what gases might be around in that situation. It is my understanding that our crews were on the scene. We had someone from the Ministry of the Environment there within about 20 minutes and that equipment was brought in.

Mr. Dean: I thank the minister for the ancient history lecture. Although I recall distinctly what the minister said about the reasons inadequate equipment was available last January, that does

not solve a problem that occurs now, approximately 10 months later. The fact is that although the incident yesterday started at about 10:30 a.m. and there was prompt notification of all parties concerned, which I was pleased to see was an improvement on behalf of the company, the fire department, the police and the health officials, there still were no results as to the—

Mr. Speaker: The question is?

Mr. Dean: It is coming; hold it, Mr. Speaker. There were no results from the ministry tests until after 6 p.m. That was more than six hours later. Only at that time were they sure what they should do with it. We now have had two such incidents in which the ministry was incapable of ascertaining the extent of the danger to the residents of Hamilton-Wentworth. The minister must agree that an industrial area such as ours in Hamilton-Wentworth needs the appropriate air testing equipment, whatever it is, to be readily available, to be available right away; it means the ministry's air testing unit should be kept in—

Mr. Speaker: Order; the minister.

Mr. Harris: You promised it six months ago, 10 months ago. It is still not—

Hon. Mr. Bradley: The member is not correct. As usual, he is interjecting without knowledge of the specific issue in this case.

Certain pieces of equipment such as the TAGA machine have to be calibrated before they go in. Other pieces of equipment can be put into action much more rapidly.

Mr. Harris: Ten months ago you promised you would have it there, and you still do not have it. You have done nothing since you have been there.

Hon. Mr. Bradley: The member is inaccurate; indeed it is available. I can also indicate to him that we are dealing with a different circumstance in this situation, compared with the Chipman situation, for instance. In this circumstance, the zirconium would create a nontoxic zirconium oxide, according to experts in that field. We do have this equipment. The equipment was brought in. As the member knows, the evacuation that took place was simply a precautionary measure. It was not ordered by the Ministry of the Environment. It was a precautionary measure as we wish to be overly cautious as opposed to being underly cautious in matters of this kind.

Mr. Mackenzie: On the same topic, it is not a question of what we have in the way of monitoring devices on the scene. Yesterday's chemical fire at I. Waxman and Sons on

Centennial Drive North in Stoney Creek raises a serious question with respect to our ability to respond quickly to a potentially deadly situation.

Regional police, firemen, the medical health officer and ministry personnel responded quickly and were prepared to make decisions. The problem was that attempts to find out the toxic content of the smoke and how to deal with a zirconium fire met with a recording and nothing else. Decisions were made based on the federal Department of Transport's hazardous materials handling guide.

Who are the responsible authorities we are supposed to contact, and will they be available when faced with a crisis such as this?

Hon. Mr. Bradley: First, the member is quite correct in assuming the Ministry of the Environment has a role to play in this regard and should be contacted and should be in a position to provide the kind of assistance that is necessary to the local authorities such as fire departments. In some communities, and I think in many of the larger communities, the fire departments are now in a position to determine a lot of the answers the member is referring to.

However, I understand Boris Boyko, for instance, who is the regional director for that region for the Ministry of the Environment, was on the scene working with the local authorities and dealing with whatever information we could gather at the time.

Mr. Mackenzie: I was on the scene for part of the incident as well, and I am wondering when we are going to have a complete inventory of all the chemicals and toxic substances stored by the various companies and municipalities and who will be responsible—I ask the minister once again—on a 24-hour basis to advise on the potential threat of the material burning or the chemicals that may be released and how to deal with the material.

It took several hours to bring down the dry materials from the Mount Hope airport and find they did not work and then to use water on the fire. There was a complete lack of information. Calls to the federal office simply brought a telephone recording on November 11.

Hon. Mr. Bradley: My ministry did give information to the fire department, for instance, about the potential for an explosion if water were mixed with the hydrogen, which could create an explosion.

In relation to the other question, which is a longer-term question I know the member has had an interest in, the Minister of Labour (Mr. Wrye) introduced in the Legislature a bill that deals with

the right to know for those substances that are being used. That kind of legislation, which the member has been interested in for a number of years, would be very advantageous to us in terms of having available, not only for the workers in the plants, and that is exceedingly important, but also for the civil authorities in that area, the information required on each of these substances. When that bill passes in this House that will be reality.

ACID RAIN

Mr. McGuigan: The Minister of the Environment will welcome a tough question from this side of the House. Citizens of southwestern Ontario are concerned about the effects of US-generated acid rain on their health, their crops and their buildings. We see dramatic results on galvanized steel buildings, and we worry about the insidious results on our health, our livestock and our crops.

I understand the United States Court of Appeals struck down an order to the US Environmental Protection Agency that would have placed curbs on the production of acid gas in the US Midwest. I understand the minister has asked for a rehearing of the case. What action is he taking to back up this position he has taken?

Hon. Mr. Bradley: The court case to which the member refers is one that was very disappointing to New York state particularly. I had the opportunity to discuss this matter with the Attorney General of New York, Robert Abrams, because he had been deeply involved in the court case.

We were encouraged when the lower court was prepared to make the ruling that various states would have to reduce significantly their sulphur dioxide emissions from their coal-fired plants. Unfortunately, this was appealed and the US Court of Appeals turned it down.

As a result, we had discussions with some of the states in the US, particularly northeastern states which are impacted adversely by acid rain, and decided we would launch an appeal. The state of Maine is exceedingly interested in this, as are New York, Vermont, Massachusetts, New Jersey and others. We intend to pursue that through the court system in the form of an appeal.

14:50

Mr. McGuigan: The minister has the US Environmental Protection Agency and the mid-western states to fight in this, particularly Ohio and Kentucky. What chance does the minister really think he has of winning this?

Hon. Mr. Bradley: Whenever one goes into court, there is no guarantee. The lawyers in the House who smile probably know better than I what chance there is. I think we have the weight of public opinion on our side for one thing, and with the resources of the other states we have some strong allies—New York state, Maine, Vermont and the other states I mentioned. I think we have some good allies.

We have to go back into court for two reasons: first, because we want to win the legal battle; and second, to indicate clearly to our friends on the other side of the border that we are prepared to pursue these matters along with our allies, the environmental groups on the other side and the various states, to attempt to get the kind of decision we think is justified. As I saw it, the decision from the United States Court of Appeals was based on a procedural technicality and really seemed to fly in the face of some of the US laws. We intend to pursue that. I cannot guarantee the outcome. The judges and the courts make those decisions, but I am pleased to pursue it on behalf of this province.

HOSPITAL WASTE

Mr. Andrewes: My question is for the Minister of the Environment. He will be glad he came today. Given the recent court decision that dismissed the action brought by the Ministry of the Environment against Wellesley Hospital and St. Michael's Hospital on charges of illegally dumping pathological waste and the previous acquittal of two other hospitals on similar charges, can the minister offer his logic for pursuing this prosecution?

Hon. Mr. Bradley: I know there are some who would prefer that we not pursue prosecutions on environmental matters; and I am not saying that of the honourable member, I do not want anyone to mistake the fact that I would not say the member himself. However, a number of people out there do not want to see us pursue a lot of these situations. They would prefer us simply to make some noise about them and not do anything in particular.

However, in this specific case, the ministry officials, both from the investigations and enforcement branch and from the legal department, made the determination that they had gathered sufficient evidence to proceed with the prosecution. The very fact that we as a ministry have decided to do that is a matter of a legal decision.

As a minister, I do not interfere in the prosecution cases. I do not determine who shall

be prosecuted and who shall not be prosecuted. I do not say we should stop prosecutions or that we should initiate them. I simply have a broad policy that where the investigations and enforcement branch believes there is sufficient evidence to proceed in court, it should do so. It did so in this case, but the specific judge did not agree. We are now contemplating looking at the transcripts and determining whether an appeal would be appropriate.

Mr. Andrewes: This is one case where perhaps the minister should exercise some judgement and have a look at the whole circumstance. The judge in this case, His Honour Judge Dnieper, in passing judgement, said, "How these charges came into being is beyond me." He also cited the ministry for failing to examine properly and to preserve evidence and for the highly questionable qualifications of witnesses it brought before the judge.

Would the minister agree that his actions have not only cost the taxpayers and the hospitals considerable amounts of money, but he has also now seriously jeopardized his credibility as minister and the credibility of his ministry in future prosecutions?

Hon. Mr. Bradley: I would not agree with the member in that regard, nor will I interfere in this case to give political orders to stop an investigation or an appeal. I believe very strongly that it is the role of the minister to stay out of the prosecution end of things because it could really place a minister in a conflict-of-interest situation if the minister on a political basis, for instance, were to determine who should be charged and who should not be.

Mr. Andrewes: The minister just said he was going to re-examine it.

Hon. Mr. Bradley: No. I said that we as a ministry—not the minister but MOE, the Ministry of the Environment, the legal people in the ministry, the investigations and enforcement branch—are at present looking at the potential decision.

Mr. Harris: It is not your fault, you had nothing to do with it. When they screw up, you have nothing to do with it. It is not your fault.

Hon. Mr. Bradley: The member for Nipissing may well be pleased when those in a position of breaking the environmental laws win a case in court. If he wants to say that, let him say it. That is exactly what he is saying.

Mr. Andrewes: Did they break the law here?

Hon. Mr. Bradley: The members opposite did not want to prosecute. There is a new regime

in Toronto at present, a regime which believes that when there is evidence to proceed with a prosecution, it will do it.

WOMEN EMPLOYEES

Ms. Gigantes: My question is to the minister responsible for women's issues, who in a speech about a year ago told women in Ontario they should stop excluding themselves from jobs traditionally held by men. We would like to know what advice the minister has for Nancy Bailey, a fully licensed carpenter employed by the Toronto Transit Commission?

In September, she was transferred out of her job in the carpentry section to take a new position as a bus cleaner. She has to take a cut in pay and has been transferred to a department where bidding rules make it practically impossible for her to pursue her career as a carpenter. The move was triggered not by a slowdown in carpentry but by a requirement in the collective agreement that the employer offer permanent jobs to temporary employees who have a year of service. I wonder whether the minister can tell us what victims should do.

Hon. Mr. Scott: Being asked to give advice so quickly on facts and circumstances with which I am not familiar is difficult, but if this woman works in a plant that is unionized, which I gather to be the case, she will have to understand that the terms of the working conditions are effected by the collective agreement that has been negotiated by the trade union acting on her behalf, a vigorous and well-known one in this case, and her employer. If she is unsatisfied with those terms, she will have to participate more actively in the bargaining process or, if she believes the terms have not been equitably applied to her, file a grievance. In short, the collective bargaining agreement effects and disposes of her rights in this circumstance.

Ms. Gigantes: It is interesting that the minister, having first told women to go solve their problems, now turns and says it is the union's fault. The union in this case is supporting Nancy Bailey.

Tonight the minister is going to announce the winners of the Ontario Achievement in Employment Equity Awards. I hope he gets the winners checked out properly, because it is apparently pretty easy to get snowed in this business.

Nancy Bailey's picture was published on a leaflet put around by the TTC, showing what a glorious and equal opportunity employer it is. Furthermore, the TTC says in its annual report that it has increased the number of managerial

and professional positions held by women by 14.5 per cent. Try to find the name of a woman on its list of management people. When will the minister follow through on his leader's commitment during the election campaign that he would, in forming a government, require that affirmative action programs be instituted in the public sector of Ontario?

Hon. Mr. Scott: That was a long question which led down a lot of alleys and byways. Let me begin at the beginning. First, I never indicated to the women of Ontario that they would have to look after themselves, which was the preamble to the question.

Second, it is of no account that the union in this case supports Miss Bailey. The fact is that the difficulties she confronts are a function of the collective bargaining agreement, of which the union is one of the authors.

Third, as everybody knows, in circumstances of this type everything should be done, either through collective bargaining or through incentives, to encourage employers to develop employment equity programs. That, not something else, is what the awards dinner this evening is designed to honour—those employers in Ontario who have responded to that kind of initiative and who have started employment equity programs designed to ensure that this kind of situation will not be replicated.

SOFT DRINK CONTAINERS

Mr. Partington: In the absence of the Premier (Mr. Peterson), I have a question for the Minister of the Environment. The minister will know that recently one soft drink manufacturer has increased the deposit on its 750-millilitre glass containers to 40 cents from 30 cents. Does the minister support this move?

Hon. Mr. Bradley: I can indicate to the member that I support those moves that are designed to attract the greatest return possible on those containers. Where it relates to a competitive position, as it relates to commercial for instance, I guess it is not for me to comment on the commercial end of it, but any initiative that is taken on any occasion that would have the effect of returning more bottles to the place from which they came is one that must be supported.

Mr. Partington: The retailers have indicated that the 40-cent deposit will be a deterrent to purchasing returnable bottles. The manufacturer said in such a case he will supply the retailers with alternative containers. This will also discourage returnable bottles. If this occurs, will the minister guarantee this House that he will

monitor the practice closely to be sure that his recycling law requiring soft drink companies to sell at least 40 per cent of their product in refillable containers each year is enforced?

Hon. Mr. Bradley: The answer to a somewhat complicated question—

Mr. McClellan: Are you trying to monitor or not? Yes or no.

Hon. Mr. Bradley: The member for Bellwoods (Mr. McClellan) has a question. I will let him wait for his opportunity to ask the question. I am not the one asking the question; I am answering the question.

Mr. Speaker: I hope so.

Hon. Mr. Bradley: It is a detailed question and I am trying to answer it in the most detailed fashion.

We always want to watch this carefully, through the recycling advisory committee that has been established in conjunction with the regulation on pop containers, which sat for four years without any decision prior to us coming into office. The member will remember that. We have that recycling advisory committee there. All of the key players in the industry provide me with excellent advice on how to proceed in these matters. As a ministry and as the advisory committee, we monitor extremely carefully all of the new initiatives that are being taken by the various players in this game to ensure that none of the activities they undertake is going to violate the regulation but is going to promote the return of those bottles.

AUTOMOBILE INSURANCE

Mr. Swart: I have a question of the Minister of Financial Institutions. It concerns a letter dated August 5, which was sent from the manager of the Facility Association to the Ontario Motor Coach Association. Two copies of it were sent to the senior people in the ministry. He was replying to the motor coach association's request to the minister for public auto insurance such as they have in Manitoba, Saskatchewan and British Columbia.

Defensively, in writing, he provided figures, and I quote, "The loss suffered by the BC and Manitoba public insurance corporations over the last five years is \$512 million for BC and \$26 million for Manitoba"—not underwriting loss, but the loss.

Given that Canadian underwriters' statistics show, as does the annual report, that the profits of BC were \$511 million during those last five years and Manitoba profits were \$92 million and

they have not lost money in any year, what has the minister or his ministry done to correct that dishonest information?

Hon. Mr. Kwinter: The information the member comments on did not come from the ministry, it came from the insurance industry. If he has any quarrel with that, he should take it up with that body.

Mr. Swart: I am not surprised the minister has not corrected that misinformation. He uses the same variety. Does he recall that in a reply he made to me on October 15, as quoted in Hansard, he said, "From the latest figures available for 1985, for every \$1 of premium that was taken in on automobile insurance, \$1.31 was paid out in claims"? He said the same thing to my leader the other day.

Will he now deny that the \$1.31 was not paid out in claims but included the huge cost of claim settlements? Will he deny that his contrast does not include the huge return, amounting to \$137 billion last year, that the insurance companies received from their investments, so that the figures he gave have no meaning?

Hon. Mr. Kwinter: The member for Welland-Thorold stands in his place all the time and tries to foist on this House a secondhand socialist solution to insurance. If he is going to deal with the problem, how about dealing with it in the proper way? He says \$1.31 is not the proper amount because there is a lot of income that comes from investment.

If this government were in the insurance business, the only thing it would be doing is paying out claims against premiums. There would not be any investment income, unless the member calls the consolidated revenue fund investment income.

SALE OF LANDS

Mr. Partington: I have a question for the Minister of Municipal Affairs. In February, during an in camera meeting and contrary to a staff recommendation, the town of Vaughan council decided by a vote of four to three to sell 14 acres of land for \$2.75 million. Opposition to the sale by both local ratepayers and town staff was based on council's failure to expose the property to public sale or to obtain what was felt to be the fair market value for the land.

Will the minister accede to the request of local ratepayers, who have petitioned the minister and been in touch with him for some seven months, and call for an inquiry into the propriety of this sale, pursuant to section 180 of the Municipal Act?

Hon. Mr. Grandmaitre: I can assure the member that staff are still looking into it. He might think seven months is a long time, but the ministry is concerned about the event. Very shortly, I will get back not only to the member but also to the council involved with a resolution or a decision.

Mr. Partington: The information that an investigation was under way was communicated in August. Can the minister tell us when he will conclude the investigation and tell the residents of Vaughan that the matter will receive a full and complete public scrutiny through a public inquiry, as envisioned by the Municipal Act.

Hon. Mr. Grandmaitre: The member is quite right. It is still under investigation. I do not have a full answer to give him at present. While it is under investigation, I cannot meddle in their affairs.

NURSING HOMES

Mr. D. S. Cooke: I have a question of the Minister of Health. Why did his ministry approve the sale of Rest Haven Nursing Home in St. Thomas to Caressant Care St. Thomas Nursing Home on September 6, when that sale will grant Caressant Care a monopoly of nursing home beds in St. Thomas and is contrary to the policy of his ministry, as he has enunciated it several times?

Hon. Mr. Elston: I will take a look into the circumstances of that sale and get back to the honourable gentleman. Presumably, there was disclosure of the details of what was being proposed by the sale, but I do not know whether the sale actually occurred in terms of purchase of shares or whether there was a transfer of assets or how it was handled. I will advise the member fully about the particulars of that sale.

15:10

Mr. D. S. Cooke: The minister should know that when his party was in opposition, members of his caucus, in particular the member for Kent-Elgin (Mr. McGuigan), opposed this type of sale, where the residents are really what is being purchased. Caressant Care bought Rest Haven Nursing Home and then moved all the residents from Rest Haven to Caressant. That is really a purchase of human beings as an asset in the nursing home system.

How could his ministry possibly have approved this sale? There was no consultation with the local municipality, the residents or the residents' family members; there was simply an approval by his ministry that will grant Caressant Care a monopoly in this community.

Hon. Mr. Elston: As I indicated to the honourable gentleman, I will look into that transaction and get back to him with the details of what is happening. Having taken a look at proposed amendments, a copy of which the member provided for me about a week ago and which are now being discussed with a number of interest groups around the province, the member will know that steps are being taken through those proposed amendments to deal more specifically with questions of public interest about which this question is addressing some concern. I will be pleased to provide more details to the honourable gentleman at a later time.

STABILIZATION PAYMENTS

Mr. Stevenson: I have a question for the Minister of Agriculture and Food. Beef producers under tripartite stabilization are sending in their \$6.60 a month and stating the number of cattle purchased, and the next statement coming back to them is showing no payment, no pay-ins and no cattle purchased. Why is his administration of this program so screwed up?

Hon. Mr. Riddell: I suppose that is the opinion of the honourable member who posed the question. I am not very sure there are many who share that opinion, but if there are some inadequacies in the administration of the program, the member can be assured I will look into them. I will pursue it this afternoon. However, this is the first time it has been brought to my attention that there is something wrong with the administration of the program.

Mr. Stevenson: I am not sure what is wrong with the telephone connections over there, because many beef producers in the province right now are calling and asking how they can get out of that program, they are so fed up with the operations. In some cases the forms are arriving on the 14th of the month, and beef producers are being asked to get them back into the office by the 15th ready for the next month's statement. The system simply is not working, and I ask the minister to check into it to see what the heck he is going to do about it.

Hon. Mr. Riddell: I certainly will check into it, but I have probably travelled this province to a far greater extent than the honourable member who posed the question has, and I can honestly say the beef producers of this province have not come to me to outline the problem, nor has the Ontario Cattlemen's Association, which is the chief spokesman of the cattle producers of this province. As a matter of fact, I had a meeting with the OCA executive just a week or so ago.

Never once was any mention made of inefficiencies or inadequacies in the administration of the tripartite program—not one mention.

RENTAL AGENCIES

Mr. Philip: I have a new question for the Minister of Consumer and Commercial Relations. Is the minister aware that, according to Paul Tuz, the president of the Better Business Bureau of Metropolitan Toronto, approximately 5,000 people are dissatisfied with the service provided by the rental agencies operating in Metropolitan Toronto? If so, what is the minister going to do to prevent tenants who are looking for accommodation and have no place to live from being ripped off by these companies that are preying on their particular condition?

Hon. Mr. Kwinter: I am not aware of that particular concern expressed by Paul Tuz. If it is a matter of rental housing, it may more appropriately be addressed to the Minister of Housing (Mr. Curling). If they are agencies that are registered under my ministry and under the Business Practices Act, that is something I will investigate. If the member will bring to my attention the issue he is talking about, I will be happy to pursue it for him.

Mr. Philip: The problem is that there is no registry under either the Ministry of Consumer and Commercial Relations or the Ministry of Housing. Customers have complained that these agencies simply clip newspaper advertisements, that they send them to accommodation that is nonexistent, that landlords who have not listed accommodation with these agencies are on their lists, that the lists are out of date and that the tenant who is looking for accommodation and who has paid good money cannot get the deposit back when the agencies do not find him any accommodation.

When will the minister announce to us that he will protect the consumers in this province who are being ripped off by these agencies by bringing in the kind of bonding or licensing system that other jurisdictions, such as New York state, have?

Hon. Mr. Kwinter: I will be pleased to look into this matter and get back to the member.

SHORELINE PROTECTION

Mr. McCague: I have a question for the Minister of Municipal Affairs. During the past 20 years, many millions of dollars have been spent in the Collingwood-Wasaga Beach area to protect land for the use of tourists, citizens and residents. Is the minister going to put more funds

into the shoreline protection fund so this resource can be protected?

Hon. Mr. Grandmaitre: I will be before Management Board of Cabinet shortly asking for an additional \$1.5 billion to—

Hon. Mr. Nixon: What?

Hon. Mr. Grandmaitre: I am sorry; it is \$1.5 million. I do not want to give the Treasurer (Mr. Nixon) a heart attack. That is much better. It is better to absorb the shock here than at Management Board.

This \$1.5 million will address requests of the municipalities that have been asking for additional funds.

Mr. McCague: Will the minister allot that \$1.5 million to the requests in my area, or will he raise his sights and ask the Treasurer for much more money?

Hon. Mr. Grandmaitre: I will be asking for \$1.5 million. We will look at all requests and we will address them as necessary.

HERITAGE LANGUAGES

Mr. Grande: My question is for the Minister of Education. On June 23, I asked the minister a question in this House about the heritage languages program. I would like to read from Hansard. At that time the minister said, "I am reviewing ministry policy." He said that in late summer he would be able to tell me what ministry policy was and whether he was going to change it. Can the minister tell us what fruit his review has borne?

Hon. Mr. Conway: I appreciate the honourable member's question. We are still looking at various aspects of the heritage language program. As the member knows, this government is strongly committed to that program. We are allocating something in excess of \$10 million to the continuing education budget of the Ontario Ministry of Education. Some 71 or 72 school boards are offering courses and programs involving 51 heritage languages.

I appreciate the member's concern that we do more. I will keep him posted on future developments in this very important area of public policy. I repeat that from this government's point of view this is something we feel very strongly and positively about.

RESIGNATION OF MEMBER

Hon. Mr. Conway: On a point of order, Mr. Speaker: With the indulgence of the members, I want to take this opportunity very briefly to note, in his presence, the news involving our colleague

and friend the member for Ottawa South (Mr. Bennett), who has in recent times announced his plans to leave this assembly.

As one of his colleagues from eastern Ontario, I want to take this opportunity, following upon his announcement in the national capital this past Monday, to wish him well in his new career and to tell him how very much I have enjoyed his lively and spirited participation in the life and times of the province and this Legislative Assembly. I wish him all the very best in the career he pursues upon leaving here.

PETITIONS

HEALTH CARE COSTS

Mr. Turner: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, carrying 601 signatures. It reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We demand to know why the Ontario health insurance plan is willing to pay thousands of dollars more of the taxpayers' money for surgery in the United States of America when it can and has already been carried out in Canada, albeit experimentally in both countries?

"The device in question is an automatic implantable cardioverter defibrillator, or an AICD. What can we do for the future patients who need this type of surgery and cannot find the funding, private or otherwise?

"The answer seems to be to send them out of the country, causing emotional stress to them and their families and a lot of extra cost to the taxpayers."

The petition is submitted by Francine Teresa Woodhouse and her husband Barry Woodhouse, 3 Coyle Crescent, Lakefield, representing the 601 undersigned petitioners.

I am happy to support the petition.

INSURANCE RATES

Mr. R. F. Johnston: I would like to present a petition on behalf of citizens in my constituency who use the Phyllis Griffiths Neighbourhood Centre. Members may recall that the other day, the member for Welland-Thorold (Mr. Swart) expressed the concerns of the centre over its ability to get liability insurance. The centre has cut out its family gym night, baby-sitting services and other kinds of programs and fitness programs. It is signed by a number of people in the community and basically says:

"I understand the quality of the Phyllis Griffiths Neighbourhood Centre programming

has suffered because of the lack of insurance coverage. I urge the provincial government to address the liability insurance crisis immediately."

And so do I.

EQUALITY RIGHTS LEGISLATION

Mr. Haggerty: I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"Attached is a petition to oppose the present form of Bill 7 and to remove the amendment which includes the words 'sexual orientation' from the bill."

This is from concerned citizens of the city of Niagara Falls.

Mr. Guindon: I have a petition from the Knights of Columbus, Ste. Thérèse Council 8459. It is addressed to myself and the government and reads as follows:

"The Catholic Bishops of Ontario, gathered in plenary session in Toronto, September 29 to October 1, are opposed to the present form of omnibus Bill 7 now before the provincial Legislature.

"La section 18, numéros 1 à 5, qui amende le Code des droits humains de l'Ontario empêchant la discrimination selon l'orientation sexuelle de la personne, est inacceptable.

"The church and the Judaeo-Christian tradition carefully distinguish between homosexual orientation and homosexual behaviour. For the church, homosexual behaviour or lifestyle is contrary to Christian morality, and any law that leaves the door open to such a lifestyle will cause great harm to society."

"Le bill 7 ne fait pas cette distinction cruciale. En effet, la véritable ambiguïté de l'expression 'orientation sexuelle', par elle-même, porte à des applications totalement inacceptables, et si le bill 7 est passé tel qu'il est, il rongera le statut des familles normales en égalant leur statut légal à celui des unions homosexuelles.

"I deplore the attempt to pass Bill 7 without that widespread consultation and discussion which will permit the citizens of Ontario to express their will concerning it.

"Donc, je demande en toute urgence au gouvernement de retarder toute action au sujet de ce bill 7, jusqu'à ce que les consultations aient eu lieu."

This is signed by 332 residents of Cornwall.

NATUROPATHY

Mr. McGuigan: I have a petition signed by 30 residents of southwestern Ontario. It reads:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

REPORTS

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr24, An Act to change the name of the Institute of Management Consultants of Ontario to the Institute of Certified Management Consultants of Ontario;

Bill Pr33, An Act respecting London Life Insurance Company; and

Bill Pr52, An Act respecting the City of Scarborough.

Motion agreed to.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Breagh from the standing committee on the Legislative Assembly presented its report and moved the adoption of its recommendations.

Mr. Breagh: This report deals with the premature disclosure of a draft report of the select committee on energy. It makes five recommendations on how this may be dealt with in the future. In a nutshell, it essentially says we cannot do very much about this unless we have some investigative powers and suggests that perhaps the Sergeant at Arms can assist us with that. It also makes a recommendation that committees themselves should have the obligation to take a look at how such reports are disclosed prematurely. Finally, it makes a recommendation or two on the use of in camera meetings. I commend this to members' consideration.

On motion by Mr. Breagh, the debate was adjourned.

Mr. Breagh from the standing committee on the Legislative Assembly presented a second report.

Mr. Breagh: It is apparent to members on my committee that there is some overlap between committees of the Legislature. This is an attempt to begin the process of sorting out that overlap. The most obvious conflict is between the Board of Internal Economy, which does some financial considerations of the assembly, and our committee, which has replaced the standing committee on members' services. It is not anticipated that a great deal of activity will take place at this time, but this is meant to be kind of a preliminary statement whereby those lines of responsibilities may be withdrawn and replaced with something more suited to the needs of the members. We hope to instigate that debate.

15:30

ORDERS OF THE DAY

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Swart moved that pursuant to standing order 37(a), the ordinary business of the House be set aside to discuss a matter of urgent public importance, that being the crisis of insurance in this province, particularly a postponement for at least another year of any remedial action on insurance, including public no-fault insurance.

Mr. Speaker: The notice of motion was received prior to 11:30 this morning, so it was received in time and complies with standing order 37. I will listen to the honourable member for up to five minutes as well as to representatives from other parties.

Mr. Swart: This motion comes before us today obviously because of the statement last Thursday by the Minister of Financial Institutions (Mr. Kwinter), which effectively postponed any remedial action, even a report, for one year. The action will now probably be 18 months or two years away. His statement contained not a single word of any remedial action that would be taken on the very serious insurance crisis that we have in this province.

To this time, in the 18 months to two years that this crisis has existed, the minister has refused even to investigate the most fundamental issues in this crisis. He was requested over and over again in this House to require the insurance companies to justify their increases, which over the past two years have amounted to at least 35 per cent—and probably closer to 45 per cent—in

auto insurance and 300 per cent in liability insurance.

He has refused to do that, even though the insurance companies had the highest profits in their whole history for the first six months of this year.

He has refused even to examine in depth the major alternative of a public auto insurance system, even though a select committee of this Legislature ordered such a study back in 1978. That select committee showed the tremendous benefits of a public plan. It showed, for instance, that in the private system here in Ontario 41 cents of every premium dollar was used up in expenses by the private insurance companies. In the three western plans, it was only 21 cents on every dollar. It also showed many other benefits.

It is true that every independent study that has been done about the public insurance system, particularly the public auto insurance system in the west, has shown that it is tremendously beneficial. The minister here has even refused to investigate the rates. The only figures he brings before this House are figures supplied to him by the insurance industry, which have been proven wrong over and over again.

Even today he could not deny that the figure he used as the amount paid out in claims included the claimed expenses of those insurance companies. There was not that much paid out in claims to the public. The figure did not include the huge profits of the insurance companies.

He has refused to proclaim section 371 of the Insurance Act, which has been on the books for many decades and which would require the superintendent of insurance, after due notice and a hearing before him, to order an adjustment of the rates for automobile insurance whenever it is found by him that any such rates are excessive, inadequate, unfairly discriminatory or otherwise unreasonable.

Surely all those factors apply to the situation today, with the exception of the one that the rates are inadequate. They are certainly more than adequate.

The minister must know the horrendous situation which exists in insurance in this province. There are increases in liability insurance of 300 per cent, and there is the dropping of liability insurance, which of course is not proclaimed across this province, by many small businesses. Operations have been ceased or been cut back because of high insurance rates. Those liability insurance rates have been so high that three major organizations—hospitals, school boards and municipalities—have decided to go on

their own, convinced that they are being ripped off by the insurance companies. The minister refuses even to investigate whether the insurance company rates are unreasonable.

Clearly, these things cannot wait. This House must and should have the opportunity today to tell the minister that it wants action now. It wants fundamental reforms in the system in this province and it wants him to quit his stalling.

Mr. Speaker: Do any other members have comments?

Hon. Mr. Nixon: I do not have enough energy to argue with the honourable member if he is not ready to speak. The subject of insurance policy is very important. The member is proposing that we set aside the business for the day, business that may or may not be important. We in the government feel it should go forward and that it should go forward today.

I notice that the member, who is prepared to set aside the business to discuss the emergency situation dealing with insurance, has resolution 40 in his name in Orders and Notices that calls for appropriate provincial policy to be implemented by January 1, 1988. We are in 1986. I am not sure what the member for Welland-Thorold (Mr. Swart) considers to be an emergency. This subject of insurance and increasing rates and what the government should do about it has been debated in this House during many weeks, and will certainly be debated in the future, in general discussion in response to bills and in questions that the member and others put to the appropriate ministers on a number of occasions. The idea that this is an emergency today simply is not correct. That does not in any way detract from the fact that it is an extremely important issue.

In the unlikely event that the House decides this debate will go forward, the member knows that action will clear this place out as if a skunk had walked in and he will be left with a few others who have been assigned to this. He will have the luxury of making his own excellent presentation on this subject, which we have heard a number of times in the past. It gets even better as he repeats it. He will work himself into another of his famous lathers, and that is something to look forward to as well. The minister will make one of his excellent responses. It will be moderate, well informed and under circumstances where, when the New Democratic Party members send Hansard out to a variety of their relatives, they will have a chance to see what the position of the government is.

I have a funny feeling that there is not much I can do about this, but I do not consider it a matter

of real urgency; neither does the member for Welland-Thorold, who in his own resolution does not even want action before 1988. I personally feel that while it may be entertaining to hear a rerun of these views, it would be much better if we went forward with important legislation such as the amendments to the Loan and Trust Corporations Act, which is also before us en français, and a variety of other important pieces of legislation. I defy anybody to say the Line Fences Amendment Act is unimportant because I will send that answer to my relatives in the farming community.

Mr. Harris: I rise to indicate our party's support for this emergency debate proceeding today. Before I get to the specific issues and some of the reasons I support it, let me respond to the government House leader's comments about the important business of the House that is before us, which he says is more important than the insurance crisis in Ontario.

We have all read Orders and Notices for today. It includes at least four bills that were first introduced by the previous government. They were considered so important they have sat there for more than a year and a half. It includes a large number of housekeeping items.

I do not know whether the government House leader knows what the horse latitudes are, but I would like to explain to him what they are. It is a term that was much more popular during the days of sailing ships.

There is a region of latitude in the northern and southern hemispheres where there are no prevailing winds. When sailing ships got trapped in these calm areas they used to throw things overboard in an effort to lighten the load and help them through the area of no wind. They would throw livestock overboard, particularly the horses. That is a little history lesson for the minister. That is the name; hence the term "horse latitudes."

I suggest to the government House leader that his administration, which was reported to be driven by a fresh breeze through the halls of Queen's Park, now has hit the horse latitudes. It has run out of new initiatives. It is stuck in the horse latitudes. It has priority business to deal with in today's Orders and Notices, more important than any insurance crisis.

The minister has referred to it and he can send it out to all my rural areas: Bill 23, the Line Fences Amendment Act; Bill 58, the Time Amendment Act—I apologize to the House leader for the third party—and the Municipality of Metropolitan Toronto Amendment Act. All are

worthwhile initiatives, but if the government House leader is telling us these are his and his government's priorities, then he surely has hit the horse latitudes and has started throwing things overboard.

15:40

Let me deal briefly with the insurance crisis. No party has been more active in trying to promote solutions to the insurance crisis that is challenging Ontario than this party, on behalf of which I speak right now. It is a crisis that is affecting all facets of Ontario life. There is no activity that has not suffered. There is no organization that has not found either insurance premiums increasing or that insurance is simply not available at all.

This government has had plenty of time to act. A year ago, when the member for St. Andrew-St. Patrick (Mr. Grossman) first sat as Leader of the Opposition, his very first action and first order of business was to ask the Premier (Mr. Peterson) to take action against the rising cost of insurance. On that day, the Leader of the Opposition was asking his question on behalf of the busing industry, but as we know, costly insurance has hit more than the bus companies over the past year.

Members of this caucus have asked this government to take action on behalf of many groups, school boards, municipalities and their recreation departments, volunteer and service organizations, fall fairs, small businesses and individuals. We have been front and centre on this issue, but we have not seen any action from this government to date.

It appointed a commission. The commission's report did not deal with premium increases and the report itself has not yet been acted on. There has been no legislation. There has been no debate. There has been only rhetoric and evasion from the minister in question period.

If the government will not take the time to debate this issue, the opposition will. We will debate this issue and we will debate it today. Last night's television newscast predicted increases in automobile insurance for next year equalling more than 30 per cent over premiums paid in 1985. This morning's *Globe and Mail* relates how the poor taxicab drivers are suffering from enormous insurance hikes. It is unacceptable.

This government should stand up for Ontarians. This government should show some responsibility and some leadership. It has done nothing to contact the reinsurance industry. This government has done nothing to curb the

spiralling costs that are driving insurance out of the hands of many Ontarians.

We cannot afford to have drivers on the road with insufficient coverage. This is happening. We cannot afford to have businesses operating without sufficient liability insurance. This is happening in Ontario. We cannot afford to have social and recreational programs squashed because insurance is unavailable and unaffordable. We need action. We need it now and we support this motion for debate today.

Mr. Speaker: Mr. Swart has requested an emergency debate in a motion. I have listened very carefully and I am certain all members have listened very carefully to the points made for and against debate. However, the standing orders state I must place the question, shall the debate proceed?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

INSURANCE RATES

Mr. Swart: Obviously, I am pleased the debate is going to proceed this afternoon. I reiterate that it is necessary. I point out to the Treasurer (Mr. Nixon) that the resolution on the order paper is an entirely different resolution. It is that public auto insurance be implemented not later than January 1, 1988. That is not what we are discussing here today and he knows it.

I want to make it clear at the beginning that when we talk about the public no-fault insurance or about no-fault insurance in general, we are not singling out a no-fault without tort. We say that tort should remain over and above the limited no-fault that is provided, the adequate no-fault that is provided.

I want to start up where I left off in calling for this debate. The Minister of Financial Institutions (Mr. Kwinter) has been guilty of massive negligence in the insurance problem. He has been guilty of slavish subservience to the insurance companies and of rejecting the motorists' welfare and the welfare of business and of a wide range of volunteers and public organizations. He has neglected the welfare of all of those who need insurance to function in our society.

He has been an apologist for and a defender of the insurance companies. He mentioned a figure previously, saying that \$1.31 is paid out in claims. They did not pay out \$1.31 in claims at all. He is parroting what the insurance companies said and he knows it. Casualty and property

insurance companies have never made less than a six per cent return on equity, even in the depths of the recession.

He has refused to do any premium comparison or policy comparison between the public plans and those here. Again, he has used figures that do not portray the true situation between those western plans and here regarding the difference in premiums. They are substantially lower out there.

I will quote a few figures from independent sources, not from an insurance company, as the minister does, and not even from the New Democratic Party. The *Globe and Mail* back on January 6 of this year quoted comparison figures. In Windsor, it is \$804 for the same kind of car and the same insurance coverage as in Toronto, where it is \$722; in Kitchener, \$636; and in Ottawa, \$598. It quotes rates in Regina as \$457, and in Winnipeg, where they have the two public plans, as \$450. That is an independent source.

The *Winnipeg Sun* during the last provincial election out there gave a comparison of rates. It shows that, for instance, in Dauphin a person driving a 1978 Datsun pays \$229; in Winnipeg, he pays \$273. This is for pleasure, an adult driver. In Toronto, it is \$484; in Ottawa, \$376; and in Kenora, \$474. It also shows that if this same person is 18 years of age, in Dauphin he pays \$229; in Winnipeg, \$273; in Toronto, \$2,200; in Ottawa, \$1,868; and in Kenora, \$2,356.

My leader in this House just recently gave figures for 1983 comparing the premiums paid in the west with those paid here; that is the last year they show, because that is how far behind we are in this province in getting in the figures. In those western provinces, the rates in 1983 were 37 per cent lower, if you divide the total number of automobiles into the premiums paid for auto insurance. In the last two years, there have been no increases in rates in those western provinces. We have had at least a 35 per cent increase here. There is no question that it is an understatement to say the rates in those western provinces are now, on average, less than two thirds of the rates we have in this province.

The minister says, "Let competition look after this." He says it should be done here. Just let competition look after it and everything will be okay.

I have a letter here from the Co-operators Life Insurance Co., signed by Janice Trass, who is the elder underwriter for the Co-operators Life Insurance, to a person who has been cut off insurance. In the letter, dated May 20, 1986, she

said, "The rates are based on a uniform industry system and the rules and rates are the same regardless of the company providing the service." That is the kind of competition we have here at present.

15:50

I suggest there are massive problems to be resolved which simply cannot wait for another year or 18 months. In fact, I doubt very much if the minister is even going to deal with those problems, because the statement he made in the House the other day related to one thing: should we have no-fault insurance with tort, or should we have no-fault insurance without tort?

That is not the only problem we have to resolve. We also have excessive premiums and escalating rates generally. I have a newspaper clipping here that says Serge Lapalm, president of the Gore Mutual Insurance Co., predicted that rates of this date, October 15, will rise an average of eight to 12 per cent on top of the 17 to 20 per cent already applied this year. There is a doubling, tripling or quadrupling of premiums to tens of thousands of people in this province for frivolous reasons and the minister knows that.

I had a call last summer from a young woman who had been in a shopping plaza. She had a 1985 Corolla or some such car. She was waiting to park down the line while another car came out, when another car backed out and backed into the side of her car. The damage to her car turned out to be about \$800. Her name is Rena Matsumota; she does not mind her name being made public.

The woman in the other car said: "It is all my fault. I will tell my insurance company so that you do not have any costs." However, when she went to her insurance company, she was told, "It is a parking plaza; therefore, we have an agreement on a 50-50 split. Even though it was the other woman's fault, we will have to pay half. We will have to pay \$400 towards your car repairs."

That woman's premium was between \$800 and \$1,000. She had not lost points before, and she had not been involved in accidents before; she now pays a premium of \$2,634 because her insurance company paid out \$400. I could give another dozen examples such as that.

There is the arbitrary cancellation of policies. There is a growing number of people driving without insurance. At least 200,000 are driving without insurance at this time. There are inadequate no-fault compensation levels. All new drivers, regardless of age, are paying substantial penalty premiums. A number of good, young male drivers are victimized through

rates three to five times the average, and they cannot get jobs with trucking companies, bus companies or towing companies because those companies cannot get insurance. Because the minister has taken no action on this, he is relegating those young people to be unemployed in our society.

If the minister wanted to take some action, he knows he has the power now to increase the no-fault rates. He does not have to wait for a year to determine whether he is going to have no-fault with tort or no-fault without tort; he can deal with all these matters now. The simple facts are that he does not have the will to do so, he is in the pockets of the insurance companies and I think this Legislature should tell him to get out and get on with the job.

Hon. Mr. Kwinter: Last week I referred to the leader of the third party and said he was riding a private hobby-horse on insurance. I would designate the member for Welland-Thorold (Mr. Swart) as a one-trick pony. His one trick is insurance and his perception of where it is.

One of the things he should look at before he starts making all these comparisons is that there was a difference in insurance rates before the western provinces got into the insurance business. In Manitoba it cost \$92.85 to insure an average driver in 1968, whereas in Ontario it was \$116. There has always been a difference. It does not matter whether the government or the private sector is running it. There is a difference even in Ontario, and it is all based on claims experience and things of that kind. To keep beating the drum and saying it is cheaper to get insurance in Manitoba—it is not in British Columbia, but it is in some parts of BC—than it is in Ontario is not news. It has always been that way, and it has nothing to do with the fact that the government is running it.

Last week, when I announced that the Honourable Mr. Justice Coulter Osborne will examine the consequences of the implementation of a no-fault automobile accident insurance scheme, I emphasized that before making a decision that would affect every member of this driving public—and it is important to know that—we insist on knowing the benefits of a no-fault system and whether the advantages would outweigh any disadvantages.

That does not mean that, once we have done that, approaches will be mutually exclusive and we will not be doing anything else. We are talking about one aspect of the insurance problem, the issue of no-tort and no-fault. It is also interesting that the member for Welland-

Thorold got up today, and for the first time I have heard, put forward a suggestion that maybe we should look at a plan that has a threshold and that there should be some tort. He does not say exactly how it should be, but he suggests it may be something we should look at. We agree, but how does one impose fully blown a plan without having someone investigate to find out what is the best plan for Ontario?

In his report on insurance, Dr. Slater clearly recognized the need for further analysis and work before determining the best design and delivery system of a no-fault automobile insurance system. In the member's motion standing in his name, motion 40, he says the Slater task force has failed to propose recommendations. When I made my announcement, the member made some very disparaging remarks about this being "son of Slater." I do not have his exact quote, but he asked why we would have another study when Slater has already told us what the recommendations are and where it is to go. Yet in his motion he says Slater did not address it, and we agree. What Slater said we should do is to look at a no-fault system. That is exactly what we are doing. We are looking at one, with the terms of reference the member saw, with a view to implementing them. We have to examine what it is we are going to implement.

The ensuing response to Dr. Slater's report, while bearing greatly on the advisability of a no-fault system, leaves us still of one mind in recommending that further study is needed. What are the implications and ramifications going to be, and what is the cost? As I pointed out last week, the construction of a no-fault automobile insurance program is complicated; it requires much thought and a lot of hard work.

One of the other glaring faults Dr. Slater found is that there is the abysmal lack of a database. To implement any kind of system, one has to have an effective database. As Dr. Slater pointed out, it is extremely difficult to compare existing no-fault systems fairly. Unfortunately, it is an apples-and-oranges situation. Distribution and commission arrangements differ. Premium levels and investment, reserve and accounting policies all vary from one model of no-fault to the next. Claims and risk experience and court awards will differ between jurisdictions as will the overall statistics and statistical databases.

The member for Welland-Thorold would have us believe that a no-fault automobile insurance scheme would instantly mean lower insurance rates. We have not yet received any evidence that a no-fault insurance system, publicly or privately

run, would lower premium costs in Ontario. That is something we have to find out.

Premium levels reflect claims payments. Claims payments are affected not only by frequency of accidents but also by their severity. Factors that can influence both frequency and severity of accidents include density of traffic, weather conditions, types of vehicles and the legislative and legal environments.

16:00

Premiums are not lower in Manitoba or British Columbia because they have government insurance but because premiums in those provinces have always been lower. That has been based on their claims records. We must also remember that the Saskatchewan government insurance program has benefited from government subsidy. The Saskatchewan government insurance program suffered losses of \$28.5 million in 1979 and \$10 million in 1980, which wiped out a surplus accumulated since 1946, making the corporation technically insolvent. The government had to advance \$72 million free of interest from the Crown Management Board.

An automobile insurance system with artificially low premiums would undoubtedly require government subsidization. I seriously doubt that the people of Ontario would support such a system.

While no-fault automobile insurance would not mean lower insurance premium rates, it could result in a greater percentage of injuries being compensated, and it could bring stability and predictability to insurance and reinsurance markets. For these reasons, it is certainly worth while to examine the feasibility of a no-fault automobile insurance system. The mandate given to Mr. Justice Osborne is broad enough to ensure a thorough examination of the advantages and disadvantages of such a system.

As I said to members last week, no-fault automobile insurance may turn out to be the best alternative to the current system, but this government is not prepared to make such a move blindly. We insist on knowing the full ramifications of such dramatic change.

I can say to the member for Welland-Thorold that while we are looking on the one hand at a no-fault system—we are looking at the present no-fault provisions in the standard contract to see what we can do about the schedule C benefits; that is something we are addressing—we are also addressing many of the other areas, contrary to what the member said. We have already announced various things we are doing, and there is nothing to prevent us from continuing to do that.

It is not the case that once we proceed with this it is all we will proceed with. We are working on a schedule to make sure the people of Ontario are well served.

We also have to make sure that if there is going to be a deficit—and I suggest that if the automobile insurance business is turned over to government hands, somewhere along the line the Treasury of Ontario is going to have to subsidize it, which will mean the people of Ontario who do not drive cars will be paying for those who do—we are certainly behind a scheme whereby we have a user-pay system. This is something we want to investigate.

I also suggest we are not blindly going ahead—just because I think it is wrong for the government to be in the insurance business. In our mandate to Mr. Justice Osborne, we told him to look at the possibility of having the government deliver this service. If he can make the case, I will certainly entertain it. That is something we are going to work on. That is something the people of Ontario deserve. They deserve a thorough investigation, a well-reasoned, scholarly approach to it, so we know exactly what we are getting into, whether there is going to be a benefit, whether it is going to be cost-effective and whether it is going just to trade one bad system for a system that may be even worse or at best comparable.

These are the things we want to look at. We have an obligation to do that, and that is what we are going to be doing.

Mr. Ashe: In rising to participate in this debate, I find myself in a very unusual position. I have some sympathy for the member on my left, the member for Welland-Thorold, and the very important issue, which is in critical condition, he brings before us today. When I find myself in bed with the socialists at any time on any issue, I have to re-examine my position closely, that is for sure. I personally am one who feels in most situations, including this one, that the private sector should solve the problem.

Having said that, I also find myself agreeing with some of the responses made by the minister, but only in a very limited way. I think he and his ministry staff have had their heads in the sand on this whole issue. We have a crisis within the general insurance industry and the liability insurance industry, including automobile liability. We have a crisis right now—and we will probably still have a crisis if those people remain as the government. We do not have a crisis in 1988; we have a crisis in 1986.

The minister is doing nothing to solve the problem now. He has appointed a one-man commission to look at one issue, albeit a very important issue. I agree with him it is not something we want to jump into without any reasonable review or study. We do not want to throw the baby out with the bath water. Maybe the continuing tort system is the correct way to go. I am one of those who feel that ultimately we will come up with something that has no-fault to a certain limit but still has the option of tort over and above a certain number. I am not putting myself forward as an expert to know what that sawoff should be, but I hope it is something that may come out of the study.

I do not think it should take a one-man commission a year, when he is not tied down, other than by his advisory committee, to having to get groups from all over the province together on a regular basis. If he puts his mind to it and has the time made available for him, and I appreciate he has other responsibilities, much less time would probably be much more suitable, and he can come up with just as good or possibly even better recommendations for the minister to consider.

Half a year sounds much more appropriate to me; frankly, a year is too long. That means the minister gets the report in late November 1987, then it is Christmas and it gets put aside. After that, the people in the ministry will look at it, and the minister will get to it in the spring. Before anything is out of it, we will be into mid-1988, and that is just too far away.

What are some of the issues of today? The member for Welland-Thorold put out some numbers. There is no doubt we can all track down and bring back a flock of numbers of very unfortunate increases within the whole liability insurance field that are completely unfair, whether they are associated with automobile insurance or general liability insurance.

We have all heard of boards, commissions, agencies, nonprofit groups, municipalities, school boards, even fall fairs, that have had to cut back on activities. Last week, I brought an example to the minister of a children's services agency that has had to restrict having any recreational activity that was deemed to be physical in nature by way of a sporting activity because of the liability insurance question. It is not right that the correct and proper activities of boards, agencies, commissions, school boards and organizations that deliver services to our people should have to be tailor-made activities in

which they can or cannot participate because of concern over liability insurance.

I know the minister is wont to say, "I do not know of anybody who cannot get insurance." That is the most ridiculous and ludicrous answer we have ever heard. He says, "All you have to do is call my ministry and we will get you some insurance." I am sure in most cases that is so—in my understanding not in all cases, but in most cases—but that is like saying to a pauper, "You can take advantage of all the riches of this great country tomorrow." We know for most people tomorrow will not come.

I will use a very simple example. If an organization is used to spending \$100 for coverage and it operates a rather small budget, for it to be able to get insurance for \$3,000 is no facility at all. They cannot afford it. It is like saying they cannot have it, even though the minister says, "It is available to them, although I cannot guarantee at what price." That is not the answer.

16:10

There is no doubt at all that the answer is to get into the problem. One area where I agree with the member for Welland-Thorold is that of looking at the financial statements of insurance companies. I happen to have a little bit of a background in the insurance industry, although not in the general insurance industry. I have been associated enough with general insurance agents over the years to be somewhat familiar with how the industry has operated, at least in the past. I am sure it has not grossly changed. To look only at premiums in and claims out is ludicrous.

That is like saying to the bank, "You look at your deposits and you look at how much you loan out and those are the two numbers." One has to look at what the assets are earning, whether they be deposit-type assets or invested assets that start with the shareholders. That is the picture of the financial worth and the return of the company.

If somebody has to hold \$100 million worth of reserves, does that mean that the investment income on \$100 million should not be considered as part of the operation of that company? That is out and out ludicrous. Investment income is part of the business of operating an insurance company. If it were just a matter of someone sitting at a desk and digging the premiums out here and paying the claims out there on a day-to-day basis, we would not need companies at all. We would need only somebody to set up a desk wherever was convenient in the local shopping mall. A sign would be put up over it saying, "Information Centre" and "Premiums

and Claims Handled Here.” That is all there would be to it.

It is not quite that simple. I appreciate and accept that. However, the problem is that we have something we have to deal with today. We have people of all ages who are at the point where they cannot afford to drive a car. When somebody phones me and tells me that, and I ask, “What was your driving record?” if he says, “I had a couple of accidents and I got some points, and they called me in for an interview for bad driving,” I frankly do not have a great deal of sympathy for him and I tell him that. I try in a nice way.

However, when people call you who have had no accidents, no impairments other than a couple of parking tickets on their record, and they say, “For my premium, they are now asking me for \$2,100, \$2,300 or \$2,700 to drive a car,” how can you answer that the system is deemed to be fair? It is not fair.

Mr. Callahan: Those are taxi drivers.

Mr. Ashe: I am not talking about a taxi driver. That is maybe where the member should be. His talents may be better put to use than they are here. In any event, this is the problem that is here today. We have to look at the root of the problem if we are going to solve it. The whole system is not right from day one. To look just at one issue of whether there should be no-fault insurance as compared to the tort system is one, albeit in a financial sense significant, part of the automobile liability question. I understand and accept that.

However, there is a lot more to the basic problem of how insurance operates. Has the minister, for example, tried to get together with the reinsurance industry? Has he gone abroad, along with colleagues of other provinces and, one hopes, from the federal government, to show that Canada is different in its system to North America in total?

There is no doubt that he knows and I know that is part of the problem in the reinsurance costs, and it is the people of Ontario, his taxpayers, ratepayers and voters and my taxpayers, ratepayers and voters who are getting stuck in the meantime. We have to get at the source of the problem and we have to solve the problem. Frankly, appointing a one-man commission to report a year from now is just scratching the surface. We have to get at it right now.

Mr. Philip: While the consumers of Ontario face an escalating crisis in the costs of their insurance, this minister’s answer is to have a study on top of a study. To the working people in my riding, an automobile is a necessity; it is not a

luxury. Many of them travel to Mississauga, Peel or Brampton to work. Many of them are shift workers who travel at times when public transportation is not available.

I had a call from a woman the other day who said to me she finished work at 2 a.m. Not only is transportation not available, but also if it were available, she would feel very much concerned about walking a long distance alone at that hour of the morning from the end of the transportation line to where she lives.

I had a businessman the other day who shared with me the fact that his liability insurance jumped by some 500 per cent in one year. I had a call from a woman only Thursday who told me about the insurance company and the arbitrary manner in which it acted to raise the family’s insurance on the grounds that her son had taken a driver training course at school and obtained a driver’s licence. Even though the family had decided they could not afford to have him drive because of the additional insurance cost, the insurance company raised the insurance anyway, on the grounds that he might decide to use the car without permission.

If you look at the minister’s arguments—this minister who allows the insurance companies to act as his ventriloquist—you see the arguments are without any kind of foundation. In the minister’s study on the study that he is now looking at, he wants to look at whether some kind of no-fault insurance will be of benefit to the consumers.

The experience in other provinces has shown that does not on its own have any kind of effect. Indeed, the experiences in some provinces are purely that the enactment of no-fault may increase premiums rather than decrease them.

The minister also claims there is no proof that government-operated insurance schemes are more efficient and less costly to the consumer, but an independent study, the Woods Gordon study, concludes exactly the opposite. In table 5, it concludes that in terms of government spending, the total estimated operating cost as a percentage of premiums earned is 21 per cent compared to 41 per cent for the private system. That is a spread of 20 per cent. If you add to that the return on investment, then we are talking of an additional 15 per cent to 20 per cent, depending on the going interest rate to the consumer at the time.

The minister talks about the taxpayers subsidizing the government-run systems. I challenge the minister to give us an example. There is only one example in all the systems in Canada where

one could show a direct subsidy by any provincial government, and that was when under the Social Credit government in British Columbia made a one-time-only contribution.

In fact, page 91 of the Woods Gordon study says, "As a result of their findings, the committee is inclined to the conclusion that there are no significant hidden subsidies or free rides that would materially distort the financial information under consideration."

In other words, the Woods Gordon study, which the minister should have read and which I know the minister has read, is being completely ignored by this minister. He is trying to tell the public something that is simply untrue, that is simply fallacious and that is denied by Woods Gordon. It is the old story that if you tell a lie often enough and frequently enough then it will be believed by the public. That is simply wrong.

Hon. Mr. Kwinter: What is the date of that report?

Mr. Swart: Why do we not have a new one? It has been 18 months. Why do we not have a new one?

The Deputy Speaker: Order.

Mr. Philip: I challenge the minister to come up with any evidence that in any of the western provinces at present the public system is being subsidized. The evidence we have tabled—and the Globe and Mail and every other independent group that has studied it has concluded the same—is that the government-run and government-operated plans are substantially less expensive to the consumer. I challenge the minister to show us to the contrary.

I know when I have a sure vote. When I go to the door and somebody says, "I just came here from Saskatchewan," or, "I lived in British Columbia," or, "I lived in Manitoba;" I talk to him about automobile insurance and I know he is going to vote for the New Democratic Party. He has had that kind of experience.

Mr. Runciman: What kind of government do they have in Saskatchewan?

Mr. Philip: What kind of government? When members of the Social Credit party in British Columbia, who ran an election campaign against public automobile insurance, got in, boy they did not abolish it. They knew it was popular with consumers. They knew it was popular with the voters and did not have the guts to go with their own election promises to abolish it.

If it was so bad, why did they not abolish it? Why did they not keep their election promise? The fact is, they knew they could not discredit it.

They knew it is so much cheaper than under private plans. If members of the Conservative Party in this House were as concerned about the consumers as they are about acting along with the Liberals in protection of the large insurance industry, they would realize that.

16:20

If we look at the kinds of things that are happening in this province, we can see the kinds of complaints I get. If the member had done his homework in Brampton, he would have listened to the same things from his own constituents: excessive premiums and escalating rates; arbitrary cancellation of or refusal to renew insurance; discriminatory rates applied for frivolous reasons; penalization of all drivers in a household because one of the drivers happens to have acted irresponsibly or had an accident; and victimization of young male drivers with good records by rates three or four times the average. A growing number of people are driving without insurance in this province. That is happening as a result of the inaction of this Liberal government, which acts as nothing but a spokesperson for the insurance industry.

The minister knows what would work. He has only to look to the west and see. This minister is so inactive on every consumer group that he does not even have the courage to bring in good-Samaritan legislation. What would be hurt? It would not even hurt his friends, the insurance industry, which acts as his ventriloquist, to bring in good-Samaritan legislation, but he cannot even bring in something as simple as that to help the consumer in the smallest way possible.

We must develop a system in which Ontario could establish a public-operated universal program. It would create jobs in Ontario because the money that would come in in the form of premiums could be used for investments in this province, not taken out of the province in the way the multinational insurance companies do, but actually invested here to create new housing, to create jobs in the construction industry, to provide mortgages to our people who want to buy homes or to provide loans at reasonable interest rates to businessmen who want risk capital and want to expand. All of this creates jobs in this province, but instead, this minister wants to stand back, let the multinational companies take the money out of the province and to hell with the working people.

The people of this province are tired of a government that talks and does not act. A study on a study on a study may be satisfying to the

insurance industry; it may be satisfactory to the minister, who does not act on anything.

The one thing the minister could at least be honest and do is to change the name of his ministry. He has done absolutely nothing to protect the consumer on anything since he became the minister. He has to be the most useless minister who has ever been appointed on that side of the House. He should call his ministry—

The Acting Speaker (Mr. Morin): The member's time has expired.

Mr. Offer: I cannot say I have had the pleasure of listening to the previous discussion by the member for Etobicoke (Mr. Philip). He talked about what the people of this province are tired of. I can assure him the people of this province are tired of someone ranting and raving without one shred of evidence, without one shred of information and without the courage to say that we have valid questions to investigate before we move forward, because the people of this province want this government to move forward in a responsible way. This government and this Minister of Consumer and Commercial Relations are doing that.

We have heard much rhetoric about what the government has not done. We have heard from certain members of this Legislature that there has been no action. They talk about the report of the Slater task force, which was initiated by the Minister of Financial Institutions. I am sure it was an oversight by the member for Welland-Thorold and by the member for Etobicoke, but that commission was created by the Minister of Financial Institutions.

When we discussed at some length the problem with respect to insurance and how it transgresses the borders of Ontario and Canada, the ministry and the minister immediately instituted a hotline for organizations attempting to obtain insurance. We should never forget that a third action taken was the market assist program or Ontario Liability Insurers, a pool of insurance companies that offers policy limits of \$1 million for Ontario-based risks.

Interjections.

Mr. Offer: The response from the members opposite seems to be dwindling in its vocal nonsupport.

We have also seen a fourth response in the promotion of the use of reciprocal exchanges for such groups as municipalities, hospital associations and the legal profession as an alternative to traditional methods of insurance. The Ministry of Financial Institutions has produced a comprehen-

sive information package on what reciprocal exchanges are for those who might find such a concept to their advantage.

I imagine that a fifth action has been overlooked, the introduction of legislation to establish a compensation fund to protect policyholders of nonlife insurance companies that become insolvent. I imagine there was an oversight when they neglected to indicate that this minister and the Ministry of Financial Institutions has provided a \$2.85-million loan guarantee through the Ontario Development Corp. to provide funding for the startup costs of a Canadian insurance exchange.

I imagine there was a slight oversight when there was a failure to indicate that the powers of farm mutuals are to be expanded in forthcoming amendments to the Insurance Act, which will provide additional insurance capacity in the market. An export liability pool is an eighth initiative to provide insurance to those exporting to the United States, which we expect to be operational soon. The pool was encouraged and assisted by this government.

We understand that the problems surrounding the question of insurance are of a universal and far-reaching nature. We understand it is necessary to recognize that the insurance industry is closely and inextricably bound up with the international community. I say to the member for Welland-Thorold and to the member for Etobicoke that not to admit and recognize that concern is to do a disservice to the motion they themselves brought forward. I do not mean we should be any less concerned because of the mere fact that this is an issue of international scope that transgresses borders, and not only those of Ontario and Canada. However, it would be a disservice to the people of this province not to come to grips with that fact. This is nothing other than reality.

We talk about the Slater task force. We must always remember that the Slater task force, which may have generated the most interest in this province, called for some form of no-fault automobile insurance. We understand that the recommendation was to move to a no-fault or partial no-fault insurance system delivered through private insurance companies and not through the government. The main reason for this recommendation was the task force's concern with the longer-term implications for the equity, efficiency and affordability of the present system and the steady increase in average settlements and awards for bodily injury.

16:30

It is worth noting that Dr. Slater did not suggest a no-fault automobile insurance scheme would lower insurance premium rates. Dr. Slater did not say that. The member for Welland-Thorold and the member for Etobicoke said that. We have not received any evidence that a no-fault insurance system, publicly or privately run, would lower premium costs in Ontario. However, this minister and the Ministry of Consumer and Commercial Relations have decided this question demands further investigation, and not to do so would be to do a disservice to the people of this province. Not to take a look at the intricacies and the complexities of no-fault insurance would be a disservice not only to Ontario but also to each and every person who makes up this great province. The minister understands and accepts that responsibility, and for that the people of this province are well represented.

It is interesting that when we take a look at what this one-man commission will be doing, the terms of reference are: looking at the adequacy, time limits and fairness of compensation to accident victims; the effectiveness of a tort system; the implications of removing tort liability; the cost savings and effectiveness of a no-fault system; the appropriate design of a no-fault automobile insurance system; the desirability of a modified no-fault system; the basis for determining compensation for injury or death in a no-fault system; dispute resolution and appeal processes for claims in a no-fault system; the need in a no-fault system for a catastrophic claims fund or further mechanisms; the private versus public delivery of a no-fault system; and, indeed, the role of government in any proposed no-fault system.

I believe the Ministry of Consumer and Commercial Relations and the minister feel that before one moves towards that type of system, not only should the government be very clear on the answers to those questions but also the people of this province should know what the answers to those questions are. The actions of this minister are responsible and are meeting the challenge of an insurance crisis across not only this province but also this country, and they will be applauded by many in this province.

Mr. Hennessy: I notice our previous speaker said the present investigation is needed. How long do we want to investigate the matter of the higher insurance cost in northwestern Ontario? We can investigate these things to death. The

first thing we know, people will be losing their businesses and people will no longer have work.

It is difficult to operate in northwestern Ontario, because everything is dearer. The price of a car is dearer. The price of goods is dearer. The only thing that is unreasonable but the same price as in southern Ontario is the beer, and that is operated by a monopoly. If we look at it, the people in northwestern Ontario are the ones who are really suffering when it comes to insurance rates.

The one-man commission was mentioned. It is like anything else. I am pretty sure anybody in the government can realize that if you are looking at an insurance policy and know what the cost is to insure your home, car or whatever it may be, you can tell whether the costs are out of your range. You do not have to be an expert in that field.

A lot of people come into my office or write in complaining. They are concerned and are trying to find out whether there is any help for them with regard to increases in their premiums of maybe 100 per cent. Then the insurance companies have the monopoly in saying, "We are very sorry, but we are not going to insure you any more." If the fellow is driving a truck or a taxicab for a living, he is therefore out of business and destitute to some extent.

As far as I am concerned, the insurance companies have too much power. Anybody in this House could be sent a notice tomorrow morning by his insurance company, saying it is not going to insure him, and if the word is passed around, he cannot drive his car.

With all due respect, many people are coming into my office complaining about the high cost of insurance for housing, for cars and for business. How are people expected to start up businesses if they have to pay out astronomical sums to insure them? The government is trying to help small businesses get started, and I commend it for that; but once they get started, they do not have enough money to take care of their policies to insure their employees or to take care of their liabilities for fire and theft, which is necessary. That makes it very difficult.

As a member from the northwestern area, I am speaking for the city of Thunder Bay and the people in that area. The people up north are being hosed to some extent, because they are paying a lot more money for all the products they use. If someone buys a car in northwestern Ontario, it will cost \$1,000 more than for the same car in southern Ontario. People have to pay more for any product they buy, whether it is food or

materials. No matter what it is, the price is always marked up, because they charge us the freight. Insurance is going up for the same reason. How can people in northwestern Ontario survive on the money they are making with insurance rates going up?

I am speaking for the people of Thunder Bay and the people of northwestern Ontario. I ask the minister to take this into consideration and see whether he can bring us something that would save the working man in northwestern Ontario.

Ms. Bryden: We are having an emergency debate today because we have an insurance crisis in Ontario, not only in auto insurance but also in liability insurance, casualty insurance and the insurance policies public bodies such as hospitals, municipalities and school boards have to buy.

I was surprised when the Treasurer got up and said, in discussing whether an emergency debate was needed: "There has been lots of discussion of the insurance issue. Why is the mover of motion"—the member for Welland-Thorold—"getting into a lather about it?"

I think it is time the Liberal government over there got into a lather about a crisis that has been with us for more than two years. It has been in power for 16 months of those two years. The Liberals are acting very much like their predecessors, the Progressive Conservatives, who did nothing in this field. While they were in power, they even brought in legislation that would have allowed the superintendent of insurance to control rates and prevent the sort of ripoff that has been going on in the past two years. However, the clause they brought in was never proclaimed; so it was purely lipservice.

I am afraid that is all we are getting from the new Liberal government. It is a do-nothing government on this issue. It was fast on election promises but slow on delivery. The reason seems to be that it is quite content to let the insurance companies go on ripping off the consumers in the way they have been for the past two or three years.

For instance, most kinds of insurance have been offered at skyrocketing prices, doubling, tripling, quadrupling—whatever the traffic will bear. We have compulsory insurance in this province, which means everybody has to buy it. But if there is no control over rates, it gives a complete carte blanche to the private insurance companies to charge whatever the traffic will bear.

16:40

Not only does it give them the opportunity to overcharge and to increase their profits, but it also gives them the opportunity to discriminate against people. They discriminate against young people on the ground that they are under 25. They pay no attention to their driving record. They simply say that if you are under 25, you pay an exorbitant insurance rate. The rates vary from more than \$1,000 to \$3,500 for young people. Some of them are not offered any insurance at all unless they have been driving for five years and have a clean driving record. That means a young person of 16 would have to have five years of driving before he could even qualify for insurance. What is he supposed to do in those five years? "He can get insurance through his father" is what they say.

The other thing it allows these companies to do is to put in arbitrary rules for checking past performance, even checking speeding tickets and traffic tickets and considering rate increases there. It allows them to put in requests for tied sales, which means you cannot get insurance from them unless you buy property insurance or some other kind of insurance from them. It allows for arbitrary cancellations. There is no right of appeal. You have to shop around and find an insurance company that may accept you under its own conditions.

To find out where the public stands on this, I put a question on my last riding report, which came out in November 1986. The question was, "Should Ontario adopt a public auto insurance plan?" Most of the replies are in by now. Of those who responded, 74 per cent said yes, only 14 per cent said no, and 12 per cent were undecided. Thus, it is clear the public is aware that the only answer to the current insurance crisis in the auto industry is a public insurance plan similar to the ones in effect in Manitoba, Saskatchewan and British Columbia. All these plans were put in by New Democratic Party governments.

The interesting thing is that none of those plans has been taken out by other governments that have come to power in those provinces. The minister commented that the main reasons for the differences in rates are different traffic conditions or different densities of population. However, there seems to be a more fundamental difference in administration costs and the elimination of profits, and that difference is the real cause of the differences in rates between those provinces and Ontario, where we have a crisis.

I refer the minister to a study made for the select committee on auto insurance in 1978, which found that the administration costs be-

tween a government insurance system and the private system in Ontario were as follows: "Under a government system, the total estimated operating costs as a percentage of premiums earned were 21 per cent. Under a private system, they were 41 per cent. They were almost double. One can see that the reasons for the difference in rates are far more than just differences in traffic conditions or coverage.

What is the nature of the present crisis? Besides the skyrocketing prices I mentioned, public bodies are facing huge increases in liability insurance. For example, the Ontario Hospital Association has reported to one of the minister's studies that its liability insurance was \$3.5 million in 1983-84 and \$20.5 million in 1985-86, and it estimates it will be \$41 million in 1986-87. That is part of the crisis.

More people are driving without insurance. Taxi owners are finding it very difficult to get insurance. There is an increase in discrimination against drivers for frivolous reasons, the kinds of things for which a policy should not be cancelled.

What is it costing the people of Ontario? It is costing thousands of dollars in extra premiums. It is costing accident victims thousands of dollars in lower awards. As my colleague the member for Welland-Thorold pointed out, it is costing young people an opportunity to get driving jobs because they cannot pay for the insurance costs once they get their drivers' licences. It is also causing the cancellation of many sports activities and a curtailment of recreational activities, amusement rides and things of that sort, because the premiums for liability insurance have gone up by as much as 10 times in some cases. In spite of all this, the insurance industry enjoyed the highest profits in its history in the first six months of 1986.

It appears a crisis is upon us. There is a need for action by the government. We are very disappointed it is just putting off for another year determining whether the no-fault insurance system should be with or without torts. As my colleague mentioned, our party favours no-fault insurance with the right to tort claims over and above whatever the no-fault insurance produces. That is the fair way to go about it so that somebody who has an unusual case can go to court and perhaps get extra money.

There is an overwhelming demand in this province for public auto insurance and for public insurance in other fields to cut out the ripoff that is going on by insurance companies. I am surprised the government is representing only the insurance companies on this issue.

Mr. Callahan: I find it very interesting that this debate has been generated on a very serious issue—there is no question about that—by the opposition parties, the Conservatives and the New Democrats, yet when I look across the floor I see six Conservatives and five New Democratic Party members in the House. It is clear they must consider it to be an extremely important issue. I find it rather reprehensible that they would play smoke and mirrors with the people in their constituencies.

One of the things that has failed to be identified here is not the question of premiums; it is the question of—

Mr. Philip: Mr. Speaker, on a point of order: The member obviously cannot read. He does not realize there are committees sitting, including the standing committee on the Legislative Assembly, which is no doubt investigating conflicts of interest by members of his party.

The Acting Speaker: That is not a point of order.

Mr. Callahan: The member for Etobicoke would know a lot about that, because he seems to raise it every time a pencil is dropped on the floor.

It is too bad the New Democratic Party does not run this province, because every solution it has is so simplistic. It is, "Let the government assume the cost of doing this, that and the other thing."

I was surprised to hear from my friend the member for Durham West (Mr. Ashe). I never suspected he was a socialist. Hearing what he had to say, it is obvious he is in bed with the socialists. He wants the government to pick up the entire cost. I am waiting to hear from my friend the member for Mississauga East (Mr. Gregory). I notice he is absent from the chamber. The suggestions by the New Democratic Party would probably turn his stomach, and he cannot be found to debate this issue.

16:50

I do not wish to deal with this with levity, because it is a very serious problem. However, the way the New Democratic Party puts it, this issue suddenly arose as a result of the Liberal government taking office. Clearly, rather than playing smoke and mirrors with the people out there who are being affected by increased premiums, it is important to deal with the question of how much coverage they can get. The issue should be put in proper perspective. This is a worldwide issue. To have a knee-jerk response

to it, as was done by the previous Conservative government, is not appropriate.

Let me give some examples of knee-jerk responses by that Conservative government. They brought in prejudgement interest. If we look at prejudgement interest, to a large degree it has resulted in very massive awards. In addition, there is the gross-up cost, and I do not see the Conservatives' kissing cousins in Ottawa—Mr. Wilson is specifically responsible for that issue—dealing with the question of income tax and how it affects the grossing up of judgement. In my community of Brampton, the award that was made of about \$6 million to a large extent was the gross-up cost, the prejudgement interest that resulted directly from the knee-jerk reaction of the previous government.

The present government is a responsible government, not one of smoke and mirrors. We are prepared to address the issue through the Slater commission and subsequently through Mr. Justice Osborne, who is a very learned jurist and a person, I submit, who clearly has the credentials to determine some of the other issues that arose out of Mr. Slater's report.

I can remember the member for Welland-Thorold objecting even to Mr. Slater looking at the issue, because the member had a very simplistic approach to it: "Minister, let the government run it and let the people out there, the taxpayers, all of them, whether they drive a car or not, pay the cost of it." That is a very simple answer. I wonder what the member for Welland-Thorold is going to do when the insurance issue is finally resolved. He will have to find some other issue on which to be a knight in shining armour on a horse.

The real issue is the question of the maximum coverage. That did become a very significant issue in my riding in terms of the \$1 million that the Young Women's Christian Association was able to obtain. This government took very positive steps; it made available \$1 million. In this day and age, perhaps \$1 million is not very significant, but this government did react to cure the short-term question. The long-term question did not develop over six months or a year; it developed over a very long period of time. We cannot have a knee-jerk reaction to it.

It may be politically sexy for members to tell people in their riding, "We are on a white charger, and today we are going to have an emergency debate that is going to cure everything." If I thought for one minute this emergency debate instigated by the two opposition parties and suspending legislation, such as Bill 51 and

various other pieces of legislation that are for the benefit of the public at large, would do that, I would say: "Great. I am happy to participate in it. I wish you Godspeed."

Surely to heaven the people out there who are watching this debate have to feel very sheepish about their politicians raising this as an issue, as a cure-all or quick fix. There is no quick fix. If there is a quick fix, then we have to think back and see whether it was properly thought out.

Mr. Justice Osborne, as a very learned jurist, is going to have the opportunity to look at the question of whether we should eliminate tort. A lot of people suffer as a result of the present system, which is tort-responsive because it is an adversary system. That means asking who has the best lawyer and whether that lawyer is able to present the case well. Some people do not even bother to sue; they are immediately visited by an adjuster, and the whole thing is ironed out.

This is not a simple issue, to be treated lightly or in a frivolous way, but that is exactly the way the opposition is treating it. They see a political opportunity in approaching this issue on television in this emergency debate. They think all the people out there watching them are foolish enough to believe this emergency debate is going to resolve the problem.

I suggest the best resolution to this issue is going to be a considered report by Mr. Justice Osborne, in which he may come up with recommendations, and I suspect he will, being the learned jurist he is, for dealing with the automobile insurance problem as well as the entire tort scheme. Let us face it, when you go before a tribunal in a litigious situation, you do not realize that the judge knows there is an insurance company behind the offender. A jury might not know about it, but if a case is being heard by a judge alone, he knows there is insurance, and it is a question of the deepest pocket. I suggest that is part of the problem, but not the totality.

We have to put some regularity back into this system so people can reinsure and so the reinsurance industry will not be frightened silly by major disasters—Chernobyl, a plane crash or whatever—or even the high interest rates that were in existence at one point when they were competing for premiums because they wanted to invest that money. It will not be done by a quick fix, and if anybody in this Legislature suggests it can be done by a quick fix, then the electorate should look at it very carefully. Such members are playing with a very important issue in a

political way; in fact, they are not telling those people what is honest and fair.

These people are concerned; there is no question about that. The concern raised here about people being employable is a significant one. The question of municipalities and volunteer organizations being able to function is a very important one. When people stand up in this House and suggest, "Well, here is an easy way to do it," I think that is dishonest and does not approach the issue in a caring, receptive, thoughtful way, as this government is approaching it.

When all is said and done, and when we have all the reports in, we will have a change in the system that will serve Ontario, not just for today—which seems to have been the Band-Aid approach used by the Progressive Conservative Party in the past—but for today, tomorrow and into the 21st century.

Mr. Runciman: As I listened to the member for Brampton (Mr. Callahan), I wondered about his past profession and whether that has had any impact on his views in respect to tort reform and no-fault insurance. I suspect it has. Some might suggest conflict of interest might enter into the picture, but I would not go that far.

Mr. Barlow: You would not suggest that.

Mr. Callahan: I do not do that sort of stuff.

Mr. Brandt: What kind of stuff do you do?

Mr. Callahan: Nothing.

Mr. R. F. Johnston: Just as we suspected.

Mr. Runciman: I find it interesting to hear the catcalls going back and forth across the chamber between the Liberal Party and the New Democratic Party. It is more than passing strange. You have to wonder what the NDP really gained from the accord, aside from a loss of credibility.

Mr. Barlow: I am sure they wonder about that too.

The Acting Speaker: Order. The debate is on automobile insurance.

Mr. Runciman: I am heading that way. The obsessive hatred of the member for York South (Mr. Rae) for anything Tory has led those lemmings to the precipice, and they are going to go off it in the next election.

The member for Brampton was talking about smoke and mirrors. He is right; there is some of that here, a lot of window-dressing, certainly on the part of the members of the NDP. They feel a government-run no-fault scheme is a winner for them politically, and they are trying to get as

much mileage out of it as they can. I personally do not think it is.

Mr. Wildman: I wonder what Grant Devine thinks about it.

Mr. Runciman: Grant Devine? Once you are into those things, I admit it is sometimes difficult to get out of them in a rapid fashion, but I suspect his government may get out of them over time.

The minister's reaction to this—establishing another task force—is a political move. Some might describe it as an astute one; I do not know at this stage of the game. He is simply pushing off a hot potato for another year or so as something his government will not have to deal with, he hopes. In any event, I do not believe this issue is the winner that the members of the NDP seem to think it is.

I am confining my remarks to no-fault insurance. I was more than slightly concerned about the emphasis of the Slater task force on the automobile insurance industry. When the Slater task force was established, it was to deal with a liability crisis in Ontario and on this continent, and the emphasis placed on no-fault seemed to me, and to many others, to be inappropriate.

17:00

Over the past four or five years, the number of calls to my office in terms of auto insurance premium complaints could be counted on one hand. Admittedly, they have increased in the past couple of months. We have had a number of concerns about rapid increases in rates, and I believe the industry is not acting wisely in this situation. I think one of the members of the third party indicated some of the increases it is projecting. The head of the Insurance Bureau of Canada was projecting significant increases as well.

The industry is playing into the hands of the socialists in this province by coming forward with those kinds of increases. The motivation behind them is perhaps less than honourable. They feel it is adding fuel to bringing in a no-fault program in Ontario. They are very misguided if they feel it is going to have that impact. What may happen is that they are going to increase pressure along the lines advocated by our friends to the left, and that would be unfortunate for consumers and small-business people in this province.

There are a lot of problems out there. I think one of the ways the minister erred when he established the Slater task force was that he gave it such a tight time frame within which to operate. I think it was three months. He said, "Come back with your recommendations in three months."

We have to give credit to Mr. Slater and his colleagues for doing an excellent job in that limited time, but if they had been afforded more flexibility in developing their recommendations, we in this province and in this assembly might have been much better served.

Slater could have come in with some interim recommendations that the government could have acted on immediately, but over a longer time he could have come in with much more significant direction for the government in terms of dealing with the widespread liability insurance problems in this country and in this province specifically.

Some of those have been talked about. Manufacturers are having extreme problems with excess liability. A manufacturer in my riding, Nitrochem, has told me about its problems in getting excess liability insurance. The company indicated it was looking at \$15,000 to \$20,000 to have a firm come in just to take a look, appraise the company and assess a figure. Even at that stage, they did not know what kind of coverage they could expect and whether it would be affordable. Those kinds of problems are out there creating great difficulty for many of our small manufacturers, especially in fields such as the chemical industry. We have to be addressing those in a more rapid fashion than we have up to this stage.

Export liability is another major problem. The parliamentary assistant mentioned that a pool is in the process of being developed, but again we get into the question of not only availability but also affordability. When we talk about liability pools, we are usually looking at insurers of last resort, and very frequently insurers through liability pools are unaffordable for many small businesses. We have to take a look at addressing that as well as the availability. We have to ensure the liability insurance for exporters is affordable as well as available.

We could mention other areas: day care centres, truckers, bus and transit operators, professional groups, directors and officers—we have read a great deal about that recently—hospitals and volunteer and charitable organizations.

There is one thing I am curious about. The Ontario Law Reform Commission was given a mandate to look at tort reform some time ago, and nothing has happened. It seems to me this is an area where the minister, the Attorney General (Mr. Scott) or whoever, should have been giving clear direction to the law reform commission to speed up the agenda for looking at tort reform and

get its recommendations into the government within a set period, rather than leaving it out there and saying, "The Ontario Law Reform Commission is looking at tort reform; we have some other body making recommendations on tort reform."

Why not pull those recommendations in as quickly as possible, perhaps refer them to a committee of the Legislature—the standing committee on administration of justice might be the most appropriate one—and have a committee of this Legislature dealing with tort reform recommendations? We could bring them into this Legislature, with all-party agreement, we hope, and get them through this House as quickly as possible to address those concerns.

We have talked about them. The member for Brampton was talking about some of them. There is the Family Law Act. He mentioned the prejudgement interest and gross-up problems. The Brampton case is the one that is cited, but it is under appeal and we do not know what the final outcome will be. However, there are concerns out there about these things.

We have to take a look at providing strict penal provisions for fraudulent or vexatious claims. Another area is collateral benefits and double recovery, the bifurcation of trials and implementation of a system of mandatory arbitration for trials. Although that may be redundant because of pre-trial conferences, we think it is something that should at least be looked at and studied. Joint and several liability was another area we talked about, and I recommend the government take a look at that.

Another thing we talked about was the reinsurance industry. When I was serving as critic of the Ministry of Financial Institutions, my advisory committee took a look at the idea of establishing a group of government individuals, industry individuals and concerned consumer advocates to work out a policy and a plan and to approach the reinsurance industry in London to try to convince it of the changes taking place in this jurisdiction and the differences between Ontario and other jurisdictions within North America. There are some clear and significant differences and changes that are under way now, and we should be making sure the reinsurance industry abroad is aware of those changes.

Mr. Mackenzie: Once again, I am pleased to rise and speak in the emergency debate on the need for a public auto insurance plan in Ontario. I cannot help but be amused—I am not sure whether that is the right word—when I hear the member for Brampton and the member for Leeds (Mr. Runciman) attack the third party. Invariably, the

best attack they think they have is to hurl the epithet "socialist" at this party.

Mr. Runciman: It has worked in the past.

Mr. Mackenzie: That is what counts, I guess. The accuracy of what they are doing does not matter.

I think back to the debates over the years on pensions in this country. I cannot remember an issue where more often, when we pushed for pensions, the charge was that somehow or other this was socialist legislation or, when we got the first \$20-a-month old age pension in Canada at the time, that it was the work of that small socialist band federally.

There was the Ontario health insurance plan battle right across this country, when Mr. Robarts said we would have to drag it in over his screaming and kicking body—over his dead body, virtually—before we would get it in Ontario. The charges we have heard from some of the large contingent of right-wing members in the Liberal caucus, and always from the Tories, are that somehow or other it is socialism, the same arguments we had when we brought in OHIP. Would anybody today say there is something wrong with OHIP or it is something we should get rid of because it was a socialist idea?

They probably said the same thing about public education a long time ago, although I have never gone back over the debates. Of course, if it is anti-free-trade, which may also affect people in this country, we are ne'er-do-wells, doom-sayers or some other such expressions that come from these members. It is not a real debate on the merits of an issue or whether people want it or need it; it is an attempt to find some derogatory slogan they can throw at people. I think it ill behooves either of them in their comments.

I am also rather amazed that we have a situation in this province where car insurance companies have more power to decide who is going to drive in Ontario than do the police or the law. That is exactly the situation we have with the kinds of actions that can be taken and the rates that can be charged, or, in many cases, the refusal to insure people.

17:10

I do not know how many calls the members of the other parties are getting; we have three files on them. What I brought in with me is just part of one of the three files. I did not particularly pick the worst cases, but I picked three of the most recent cases that have hit my office.

Before I cover these three cases, let me go over a case I have raised before in this Legislature. This is the kind of complaint we are getting from

young people and, as some of these cases will show, from older people in Ontario.

There is a young woman—I have raised her case before—who works with me in my office. She is 26. She was driving a 1970 Firebird. She has since upgraded her automobile, but at the time this was raised, it was a 1970 Firebird, in rather good condition for a 1970 car. It had two doors and eight cylinders. She drove it very little.

Going down to the bus depot to catch the bus here or taking her mother out to the Lime Ridge Mall was the extent of the driving—strictly alone; no record; strictly personal; strictly pleasure; very limited driving. She was paying \$187 every six months for \$1 million in public liability; there was no collision insurance on the car.

She got her notice on January 8, 1986, saying her new premium was going to be \$355 for six months. Her \$374-a-year charge was going up to \$710 a year. She could not find anything else that was any better. When she came in and mentioned the increased cost she was going to have and what they were charging her for the very limited driving she was doing, we got on the phone. I had her call the Manitoba auto insurance plan.

The minister likes to say the accident and collision rates differ in some of the western provinces and that is why there are some of the big differences in price. That does not happen to be true, but I thought Winnipeg was a good comparison with the city of Hamilton.

We phoned and gave them the details: a 26-year-old woman; no accident record; limited pleasure driving—you cannot really identify "limited driving"—no business driving; the make of the car, a 1970 blue Firebird; two doors. The price they quoted her for one year, including \$200-deductible collision, which she does not get now, was \$145. In comparison with \$710 for liability only, in a city comparable to Hamilton she could buy Manitoba public auto insurance for \$145.

I do not know what to tell people when they call. I do not know what to tell a young man who called me about three or four weeks ago. He was a first-time driver, 22, with limited education. The best price he picked up in my city was \$3,700. As my leader said today, charges of \$2,000, \$2,500 and \$2,800 are common for new, young, first-time drivers.

A letter was forwarded to me by a federal Conservative member in our area, Mrs. Shirley Martin, regarding a constituent who called her about the tremendous increase that had just been levied in insurance and the problem with a small accident. She simply told her constituent it was a

provincial matter, not a federal matter. The federal member could not do anything for her, but said she should write to the provincial NDP member—I am not even in the federal member's riding—since he might be willing to take up her case. This is a federal Conservative member on a public auto insurance deal.

The constituent raised a number of issues. She said:

“On drunk drivers, they can have their record cleared by the insurance company in three years, while a sober citizen has to wait five years. This is not right. The insurance companies have to be controlled. I have driven for 12 years and my husband for 15 years, and this is what has happened to us.

“Last year was the first time I have had a ticket or an accident. Now we pay almost the price of our car in insurance, and we drive a 1979 Le Mans. There must be a lot of people now driving in this situation.”

She then went into the increased costs with us. They were currently paying \$1,250. They had an accident in a parking lot. It was not their fault. The other driver admitted it. He backed out and into the side of their car while doing a turn. They found out to their chagrin that even with a note from the other driver, because it was in a parking lot it did not matter who was at fault: the cost was split 50-50. They had to pay some \$200. That was assessed for their insurance company, and the increase in their insurance was \$1,032. Even though it was not their fault and it was in a parking lot, they got more than four times the cost of the claim that was paid out by their insurance company.

Mr. Swart: Paying for three years.

Mr. Mackenzie: Yes. My colleague looked into it. It was one of the many cases we looked at. They would pay that increased payment for three years. She ends up paying not four times but 12 times the cost of that minor repair job. The members should tell me the justice of that in the insurance industry in this province today.

As recently as a week and a half ago, a case came to my office. The gentleman said he had been driving for 35 years, 22 years with the Hamilton Street Railway. He owns two cars, a 1973 Chrysler-Plymouth Satellite and a 1978 Pontiac Acadian. They had insurance for both for \$864 and were quite happy with it. They decided they were going to put their two sons of 17 and 19 years of age on their policy. Their insurance costs increased by \$1,600. They shopped around and found they could get a slightly cheaper price from

another insurance company and they took it. It dropped their insurance costs about \$200.

He had an accident. It was also a parking lot accident. Do the members know what the assessment was?

The Deputy Speaker: Order. Your time has expired.

Mr. Mackenzie: I am sorry I cannot give that case, because a \$259 charge cost more than a \$1,000 increase. The point is that where we have a public auto insurance plan, it has worked. It is to the benefit of—

The Deputy Speaker: Order.

Mr. Haggerty: I am pleased to enter the emergency debate this afternoon on the matter of no-fault insurance. I entered the Niagara south ploughing match this year and was fortunate enough to take first prize, but because my colleague the member for Welland-Thorold, who moved the motion, did not enter the competition this year—I do not know whether he could not afford the insurance—I hope I did not get it by default.

I was interested in some of the comments this afternoon by members speaking in this emergency debate. The member for Leeds perhaps hit it on the head when he talked about “affordable insurance.” I have dealt with people coming into my constituency office about this. I recall one person telling me of the first accident he had. It was a case where he had to swerve the car to avoid hitting a youngster coming on to the street on a small bicycle. He ran into a post and bounced off it, hitting the end of a building. The insurance adjuster came and assessed the damage to the property at \$3,200 to \$3,500. When he renewed his insurance, the rate they suggested he should pay was the cost of the damage to the property. I do not think that is any way for the insurance industry to carry on business in Ontario. It should not use a person that way.

I am satisfied that my household insurance has come down this year. Perhaps it is the insurance company I belong to. It is a co-operative or insurance program with mutual benefits. It is with a group of farmers in my area. Now they are taking hold in the urban area. It is reasonable insurance.

17:20

When you look at the cost of insurance in Ontario, you have to look at the cost to repair an automobile, at replacement costs in this area and at labour costs. You have to look at legal fees, which are much higher in Ontario than they are in other provinces. There is also the location you

live in. I happen to live in the Niagara region, in a border community. We pay perhaps one of the highest automobile insurance premiums you can find anywhere in Ontario. We should not be using a rate based on the number of Americans who come in and unfortunately have accidents; that is not the way to go.

I know my colleague the member for Welland-Thorold has been on this issue of no-fault insurance for a number of years. I heard it in county council days. As the member for Leeds said, if the insurance industry does not clean up its act, the high increases are going to lead to no-fault insurance in the province.

I want the members to look at resolution 40 from the member for Welland-Thorold. It says, "Ontario should proceed, immediately, with the development of the most appropriate provincial public motor vehicle insurance plan for implementation no later than January 1, 1988," and talks about "nonexistent or inadequate no-fault compensation."

I notice the New Democratic Party has come forward using the word "tort." They have changed their position. Let us look at it. It has been critical of the Minister of Financial Institutions in this area, saying he has not done enough.

We have just taken over government in Ontario in the past 15 or 16 months. We had the Slater report that came in last summer, and the member is well aware of the recommendations. There was the minister's statement of November 6, 1986, when he placed a task force in the charge of Mr. Justice Arthur Osborne of the High Court of Justice for Ontario. He is to examine the issue and report back to the government by November 1, 1987.

If you go down to the terms of reference, they say Mr. Justice Osborne will inquire into "the tort system of compensation for injury by automobile accident and the consequences of the implementation of a no-fault automobile accident insurance scheme." In particular, he is to "consider and report on...the adequacy, timeliness and fairness of compensation to accident victims under the present tort system; the effectiveness of the tort system as a deterrent in compensation mechanisms; the implications of removing tort liability as a basis for compensation in automobile accidents and replacing it with a no-fault system; the cost savings and effectiveness of a no-fault system for compensation for claims arising out of automobile accidents"—this may be an area we can look at that will be similar to workers' compensation for loss of wages—"the appropriate design of a no-fault automobile

insurance system for Ontario, including the effectiveness of deterrence in a no-fault system; the effectiveness of rating systems related to driver performance"—that is important—"and standards for ratings under such a no-fault automobile insurance system"—I do not have to tell the members about the number of fatalities in Ontario, many of them related to drivers who have been impaired—"the desirability of a modified no-fault system with some form of threshold"—that is important; maybe a cap—"at which recourse to the tort system would be allowed"—insurance companies on the American side are looking at capping—"dispute resolution and appeal processes for claims in a no-fault system; the need in a no-fault system for a claims fund or pooling mechanism to protect small insurers; private versus public delivery of a no-fault system of automobile insurance; and the role of government in any proposed no-fault system."

That lays out the government's policy in this area. If the member for Welland-Thorold goes back to his resolution, he said by January 1, 1988. This report is to be completed by November 1, 1987—it could be before November 1, 1987—and then legislation could be introduced in the Legislature by January 1, 1988.

I suggest the minister is in line with the member's thinking on the matter of no-fault insurance. As the minister has indicated, and I have debated this for a number of years during election campaigns, we know of the government-run no-fault programs in Manitoba, Saskatchewan and British Columbia. To compensate for the losses in their funds, they have gone to their consolidated revenue funds.

It is the same thing in Quebec. They have a partial no-fault insurance scheme, but to pick up the loss in that area, they increased the fees for automobile licences or owner-operator licences. I suggest they do the same thing in the programs out west. There are other areas in Canada that have moved in this direction.

Mr. Swart: That is not true.

Mr. Haggerty: The member says it is not true. I am sure it is true. I would not be standing here saying it if it were not so.

Mr. Swart: The select committee said it was not true.

Mr. Haggerty: Well, the select committee—

Mr. Swart: Woods Gordon said it was not true.

The Acting Speaker: Order.

Mr. Haggerty: Woods Gordon. That is debatable too. The report from Mr. Justice Osborne that we are looking forward to in November will lead us in that direction, and legislation will be coming forward.

Mr. Pierce: It is a pleasure for me to get up today to speak on liability insurance as it relates to the people in my riding in the district of Rainy River in northwestern Ontario.

I note with interest that some of the members opposite like to say that we on this side of the House are overreacting and that there is no crisis in insurance in Ontario. The word "crisis" could be defined in many different ways depending on whom it affects. When the owner of the machine shop in Fort Frances is told by his local insurance companies, "We are sorry, but as of Monday of next week you no longer have insurance because we cannot find someone to insure you," that becomes a crisis for him.

This owner-operator of a machine shop inherited the business from his father a number of years ago. He built it up to a fairly respectable business. He employs a number of people in Fort Frances and provides a much-needed service. Because of the type of system we live under and the way the insurance companies are prepared to deal with these people, this guy now has no insurance opportunities. As a result, he could be forced to shut down his business.

It is fine for the minister to say, "If you are having a problem at one store, shop around." I am afraid we have gone to the point where shopping around is no longer the answer. There is no place to shop. The insurance companies very quickly circulate throughout the insurance industry the name of any company or individual who has had a problem, for whatever reason, in making his payments on the due date or who has had problems within his company. The opportunity to shop around is no longer available.

My riding is one of the closest to Manitoba. We have a large migration of young people from northwestern Ontario. A lot of those people go to Manitoba. They go there for their education and for their medical care and because insurance is so much cheaper for them. They are young people who could enhance and develop the northern part of our province, but because we in Ontario have not addressed the problem of high insurance rates, these young people find it to their benefit to move. They look at Manitoba as an opportunity for them to save some money on auto insurance. They take advantage of it for that reason.

The minister also claims Ontario has historically had insurance rates that are higher than

those in a number of the other provinces. He said one of the reasons for that was weather conditions. Let me tell him that weather conditions in northwestern Ontario are not unlike the weather conditions in Saskatchewan, Manitoba, Alberta, British Columbia and northern Quebec. I fail to see that weather conditions would have such a high impact on the insurance rates in Ontario.

17:30

The Liberal government says it is prepared to promote industry in northern Ontario and offers incentives to young people to get into business, yet all those incentives do not add up to the high cost of insurance for getting into business in northern Ontario. There are very few businesses in northern Ontario that do not require an automobile or that do not relate to high-risk industries. For that reason, entrepreneurs in northern Ontario are not allowed to develop the kinds of industries they would like to. The insurance companies dictate whether they will get into business.

We have spent the past 25, 30 or 40 years in Ontario developing what we consider to be one of the finest health care systems in the world. Facilities are now available in northern Ontario, but today the Ministry of Health is trying to develop a system of commuter aircraft that will move people from the small centres of northern Ontario, where operating rooms are available, to the large centres of northern Ontario for all surgery. The reason is that in a small community in northern Ontario, a doctor might perform an average of 25 to 35 operations a year. It does not pay such a doctor to take out the insurance necessary to allow him to perform those operations.

An anaesthetist in northern Ontario is in the same situation. The insurance requirements of an anaesthetist no longer allow him even to consider moving into the smaller areas where there are not hundreds of operations a year. As a result, we have hospitals with operating rooms, all the facilities and experienced personnel to run them, but we do not have the ability to provide the insurance necessary to allow doctors to operate even in emergencies.

The Ministry of Health has recognized this. As I said earlier, it is looking at providing Dash-8 service to a number of northern communities on a given day in the month. The service will pick up all the patients and take them to a hospital where a doctor feels it is feasible to buy the insurance.

This is not a time for a knee-jerk reaction to the insurance crisis. It is a crisis in Ontario, and it is certainly a crisis in northern Ontario. The

government says it has been here only 14, 15 or 16 months. Whatever it is, it has been too long. It is time for the Liberal Party to face up to the fact that for the past 42 years it has been prepared to be critical of what was done by the Progressive Conservative Party; it has been prepared to have all kinds of policies drafted. It should not take the Liberals another 42 years to decide what they will do in a time of crisis.

The minister has put out another opportunity for an additional study. It is time he started to react to a situation that is very near and dear to the hearts of everybody in Ontario and that has an impact on what people see as being an opportunity to invest in this great province of ours.

Mr. Warner: I appreciate the opportunity to participate in this debate. Public car insurance works in British Columbia, Saskatchewan and Manitoba. Private car insurance does not work in Ontario. The message is extremely clear. The people of Ontario are getting tired of being systematically ripped off by insurance companies. That message comes home to each member of the assembly, including the Minister of Financial Institutions. I do not know how any member of the assembly can escape the message.

I will relate for the minister a sad story that was told to me over the telephone a short while ago. I suspect the minister may have been the recipient of the story a few minutes after the person told it to me.

I had a call from the owner of a taxi company that owned 60 taxis. Each taxi had two drivers; I assume not at the same time. Two years ago, he was paying \$1,250 per car per year for insurance. Last year, the amount was doubled to \$2,500. This year, he was informed that as of October 30 the rate would be \$9,000 per car, an increase of \$6,500 per car over the previous year. Multiply that by 60 and it does not take a genius to figure out that relatively small taxicab company would be put out of business, and with it, 120 people would be unemployed.

In desperation, he wanted to know what I could do to help him. I had to say truthfully there was nothing I could do, and I gave him the phone number of the minister's office. I said: "Phone the minister, because he is the one who has the responsibility with respect to the insurance industry. He is the one who has the authority to regulate." Sadly, he is also the one who has not done anything more than apologize for the insurance companies. That is sad indeed.

Historically, we have had higher rates in Ontario because the insurance industry has been allowed systematically to rip off the car drivers of

Ontario. If you allow them to do what they want, they will do what they want. That has been the message.

I do not think it is any secret to us in the assembly, and it has become less of a secret to the good people of Ontario, that the publicly run plans in the western provinces work. They have been in operation for more than a decade, 12 to 14 years, through a succession of governments, not just New Democrat governments but also Social Credit, Conservative and even Liberal governments. When a change of government took place, why was the public car insurance plan retained? It was because it works. It is extremely efficient; in fact, it is more efficient than private insurance in Ontario. It is a lot cheaper and is publicly responsive.

If you are a resident of any of those three western provinces I mentioned and have a concern about the plan, you have a direct route for action because obviously the plan is responsible to the Legislature and there is a review board. As a member of the public, you have the opportunity and the democratic right to raise your voice of concern to the government, and you will get action.

17:40

Of course, we do not have that here. Private insurance companies can decide whether they are going to insure you, which to me seems rather ludicrous in that we say, by our laws, you must have insurance. You cannot drive on the roads of Ontario without insurance, and yet insurance companies can determine whether they will give you insurance. "Give" is the wrong word; they will allow you to pay exorbitant rates for the insurance.

Competition? That is a joke. There is no competition in the industry. Just ask any single male under the age of 25 about competition. The competition is whether he should pay \$2,500 or \$3,000 a year for his insurance. Some competition. Yet at the same time, we know that same individual, with identical coverage in a comparable situation out west, would pay in the neighbourhood of \$700. That, pure and simple, is a ripoff. There is no other word for it.

I know it is difficult for the government, with its philosophy of supporting private enterprise, to agree that this public way is a better way. Of course, that is tough for them. But they will know that all members on the select committee on company law, an all-party committee that examined this question back in 1976 and 1977, agreed privately that the public systems they had examined out west were superior. They also

admitted to me and to other New Democrats on the committee that, for philosophic reasons, they could not put the truth on paper. That is sad and sorry, but it is a philosophic hangup they have; that is their problem. But I submit that, philosophic difference or not, the government has the responsibility to solve the problem.

It is not just New Democrats who are speaking up; it is the people of Ontario. The minister will no doubt be aware that in the public opinion survey this party did, we got 6,000 responses. Do members know how many of those 6,000 respondents from across the province were in favour of a public car insurance plan? There were 80.4 per cent who were in favour of a public car insurance plan. Fairly obviously, it is more than those people who vote New Democrat, although that may be reflective of the percentage in the foreseeable future. There were only 13 per cent against and an additional six per cent who did not have an opinion.

To show members it is not just New Democrats, I understand the Conservative member for Kenora (Mr. Bernier) also conducted a survey in his householder report and found that more than 80 per cent of his constituents supported public car insurance. There is a fairly obvious reason for that. The people in the far north relate more to Manitoba. Their news and all their information comes from Winnipeg. They know the public plan works, and that is what they want.

The message to the government is very clear: The time for defending the private car insurance companies is gone. The time for action on behalf of the citizens of Ontario is now. We need a public car insurance plan now.

M. Poirier: Mon bon collègue le député de Welland-Thorold (M. Swart) nous a demandé d'entamer un débat d'urgence, aujourd'hui, en ce qui a trait à la situation actuelle des assurances en Ontario et, plus spécifiquement, au niveau des primes d'assurance. Il semblait vouloir dire que le gouvernement actuel de l'Ontario n'avait rien fait, ou très peu de choses, pour essayer de résoudre le problème des assurances tel que nous le connaissons.

Par contre, dans son discours antérieur, mon bon collègue l'adjoint parlementaire au ministre de la Consommation et du Commerce, le député de Mississauga Nord (M. Offer), a présenté une liste assez complète des huit grands points que le gouvernement de l'Ontario a mis sur pied pour aider les gens, les consommateurs et les consommatrices de l'Ontario, à faire face à la crise actuelle dans le monde des assurances.

Ce qui m'intéresse, et ça me surprend un peu, c'est que nous sommes tous d'accord que la situation des assurances traverse des moments très difficiles en Ontario; mais par contre, je suis convaincu, et j'en ai la preuve, que mon gouvernement s'attache très rapidement à voir à ce que la situation du monde des assurances en Ontario puisse être réglée à la satisfaction des conditions présentes et futures dans l'Ontario. Je fais référence particulièrement à la mise sur pied du groupe de travail sur les assurances qui sera présidé par M. le juge Osborne, qui va examiner la situation actuelle et présenter un rapport très complet, très concret également, avant le premier novembre 1987, à mon gouvernement.

M. le juge Osborne va examiner le système actuel, qui est basé sur l'établissement d'un blâme, d'une responsabilité, si on veut, à l'égard d'un accident de circulation et va examiner également le dédommagement des victimes d'accidents de la circulation et les conséquences de la mise sur pied d'un système sans égard à la responsabilité en ce qui a trait à la mise sur pied de l'étude, si on veut, des accidents de la circulation en Ontario.

Les députés se rappelleront que lorsque le Dr Slater a présenté son rapport au gouvernement, au mois de mai, il n'avait pas pour mandat d'établir un programme spécifique d'assurance sans égard à la responsabilité pour l'Ontario; ça ne faisait pas partie de son mandat. Par contre, M. le juge Osborne, dans sa commission, pourra nous faire une recommandation, à savoir, quel serait le meilleur système éventuel en Ontario, soit pour remplacer, soit pour modifier ou garder le système actuel.

Je regardais la liste des conditions qui ont été présentées à M. le juge Osborne et je voudrais regarder ceci avec les députés pour voir que c'est très clair que le rapport que nous présentera le juge Osborne permettra au gouvernement de prendre une décision beaucoup plus éclairée, qui nous permettra de choisir un système pour l'Ontario qui sera adapté aux besoins de l'Ontario. Si vous me permettez, Monsieur le Président, je vais lire un peu.

M. le juge Osborne va enquêter sur la situation actuelle et présentera un rapport au gouvernement en ce qui a trait au système actuel de responsabilité rattachée aux accidents de la circulation et aussi aux conséquences, si on veut, d'un tel système sur les dédommagements à verser aux victimes.

Son rapport s'attaquera aussi au niveau des montants qui sont versés aux victimes, à l'application à travers le temps, à la rapidité du

système et à la justice du système face aux dédommagements accordés aux victimes d'accidents de la circulation, selon le système actuel.

Il regardera également l'efficacité du système actuel en ce qui a trait à la culpabilité qui est rattachée à une personne ou l'autre lors d'un accident de la circulation.

Il regardera également les conséquences des modifications possibles au système actuel de responsabilité, tel que nous le connaissons, parce qu'on sait très bien qu'il faut regarder de très près, pour l'Ontario, les conséquences possibles d'une modification au système actuel.

Il étudiera également les réductions possibles des coûts et l'efficacité d'un système sans égard à la responsabilité pour les victimes d'accidents de la circulation.

Il s'attaquera également à un design adapté aux besoins de l'Ontario.

On sait très bien qu'on a plusieurs exemples de systèmes sans égard à la responsabilité à l'échelle du Canada, mais c'est clair que d'une province à l'autre, les particularités, les spécificités, si on veut, de la situation d'une province à l'autre, ça ne peut pas s'appliquer nécessairement tel quel à l'Ontario.

Donc, j'ai bien hâte de voir le rapport que va nous faire M. le juge Osborne, à savoir, de quelle façon précise verrait-il une recommandation pour un tel système sans égard à la responsabilité en Ontario.

Il va se pencher également sur la possibilité d'établir un niveau où un principe de culpabilité pourrait être permis dans un système sans égard à la responsabilité pour les victimes d'accidents de la circulation. Évidemment, on peut avoir un système complexe, jumelé, où jusqu'à un certain niveau, on a un système sans égard à la responsabilité; mais par contre, il va voir si, après un certain niveau, on ne pourrait pas appliquer le système de culpabilité lors d'accidents de la circulation.

17:50

Il va se pencher également sur les paramètres à établir pour déterminer le niveau du dédommagement. C'est bien beau de dire qu'on a un système sans égard à la responsabilité, mais de là à verser un dédommagement à la victime d'un accident, il va falloir déterminer certains niveaux.

Au sujet du choix des méthodes pour régler les différends et les appels, on sait très bien que quand la commission va arriver avec une décision face à un dédommagement quelconque, ça se peut fort bien qu'il y ait des différends et des appels face à la première décision. Donc, il se penchera également sur ce point-là.

Il va se pencher également sur le besoin de créer un fonds spécial en prévision de catastrophes majeures, et aussi sur la possibilité d'un fonds pour aider les petits commerçants, les petits assureurs, parce que quand même, avec les montants qui sont versés lors de catastrophes majeures, on sait très bien le stress que ça peut causer dans la situation particulière des petits assureurs en Ontario.

Il va aussi se pencher sur la comparaison des avantages et des inconvénients d'un système public versus un système privé. Donc, là aussi, j'ai bien hâte de voir les recommandations qu'il va nous faire.

Dernièrement, il va se pencher sur le rôle que devra jouer le gouvernement dans un système sans égard à la responsabilité particulière, face à un système d'assurance pour les victimes d'accidents de la circulation.

Pour résumer tout ça, Monsieur le Président, lorsque mon collègue le député de Welland-Thorold demande un débat d'urgence pour étudier ce qu'a fait ou non le gouvernement, ce qu'il va faire, où il s'en va dans ce dossier-là, je trouve ça intéressant.

Je félicite mon collègue le ministre de la Consommation et du Commerce (M. Kwinter) de tout le travail qu'il a accompli, appuyé habilement par son adjoint parlementaire, mon cher collègue le député de Mississauga Nord. Etant donné la liste et tous les documents qui sont disponibles aux consommateurs et aux consommatrices de l'Ontario qui veulent se renseigner sur la situation actuelle et sur ce que le gouvernement veut faire, les documents sont là; la preuve est là du travail qu'on a fait.

Je ne suis aucunement inquiet, et le ministre de la Consommation et du Commerce et mon gouvernement ont le plein vote d'appui du député de Prescott-Russell pour nous aider à sortir de l'impasse dans laquelle nous nous trouvons à l'égard de la situation des assurances.

Mr. Speaker: The member for Northumberland for five minutes.

Mr. Sheppard: That is good enough, Mr. Speaker.

I am pleased to have the opportunity to make some comments today on the motion of the member for Welland-Thorold. I am certain we are all concerned about current problems regarding insurance coverage. Insurance is no longer affordable for most, and in some cases, it is not even available. As we know, this is attributed to several factors, including ever-escalating court awards, high interest rates and even an increase in the number of claims. In some cases,

premiums have increased simply because there are fewer companies willing to reinsure.

Since 1979, the insurance industry has been faced with losses and expenses that have exceeded premiums. In the early 1980s, premiums remained low because of severe competition within the industry. When interest rates began to decrease, investment income on reserves usually used to offset underwriting losses proved to be no longer sufficient. We must all realize that for there to be growth, using investment income to offset underwriting losses cannot persist as a longtime practice. Unless the industry is able to achieve underwriting profits in the near future, we should expect very serious problems to develop.

That is why I want to speak on the motion today. As I mentioned earlier, part of the problem of the increased insurance premiums is the size of the large awards because of personal injury claims. Ironically enough, it is not those multimillion-dollar claims we sometimes read about that are the real problem. The concern lies with the average claim, for example, the fender benders, where the level of awards has been steadily increasing. People, including their lawyers at times, have the tendency to use these reported multimillion-dollar awards as a justification for increased premiums. People read about these huge claims and feel they too are entitled to more. Society has become engrossed in an attitude of entitlement, in other words.

It is foolish, however, to blame the entire crisis on people and their lawyers. Naturally, people who pay regular insurance premiums feel they are entitled to fair and just compensation when they suffer a loss, and rightfully so.

Another part of the problem is reinsurance. Reinsurers such as those in London are treating the North American market as a whole instead of viewing us as two countries, Canada and the United States. This attitude has been unfair to Canada, because we have a very different tort system and generally we have not seen the types of claims along with astronomical awards that are seen in the US. The reinsurers believe Canadian companies cannot adequately price their products or predict the future. It is perceived that if certain changes can be brought about to our tort system, this would allow insurance companies to price their product more accurately.

I am not in favour of government insurance as such, but there are other means by which we can do our part to alleviate the insurance crisis. One method is by restricting or lowering the size of these astronomical awards. One obvious option

to consider is; to impose a \$1-million limit on personal injury lawsuits. I believe in this very strongly, and I hope the minister heard that. This would ensure a more stable environment for the industry to predict the future and price its product.

Furthermore, amendments could be made to the Courts of Justice Act that would allow awards for serious injuries to be distributed via annuities as opposed to one lump sum. This method could prove advantageous in several forms. To begin with, tax on future care costs would be eliminated. Second, the number of false claims would most likely decrease. For example, if an injured person had received a long-term annuity and was discovered to be participating in physical activities contrary to his injuries, his annuity could be cancelled without recourse. Furthermore, because the payments would be in annuity form, the chances of the claimant losing his award through faulty investments and the chances of his blowing all his money would be eliminated.

For claims resulting from bodily injury arising from automobile accidents, a form of no-fault insurance could be implemented. This method has both its advantages and disadvantages, but we could look to our neighbours using this system for guidance. No-fault insurance would offer reasonable costs to the consumer as cost savings are achieved through the lack of litigation. Because there is no need to prove who is at fault, there are no lawyers or court fees. This type of insurance also offers adequate compensation to about 80 per cent to 90 per cent of the population as well as fast payment after proof of claims.

One reason our tort system is so highly regarded, however, is the fact that we have the freedom to sue and the right to have each claim individually appraised. With no-fault insurance, the right to sue is generally forfeited. However, a descriptive clause could be added, as in Michigan, that would allow victims to sue only if the accident resulted in death, permanent disfigurement or serious impairment of body function. This clause would increase costs somewhat, but the right to sue and to receive more adequate compensation for the seriously injured remains vital.

I think the general public is ripe for such a proposal provided it is run by private insurers and not the government. While a schedule of payments would provide the stability required for insurance companies, at this time there is no guarantee that premiums would level off or be reduced.

I am optimistic that these proposals would reduce the magnitude of the awards presented in personal injury cases while still allowing the plaintiff his right to compensation for losses and damages suffered. Furthermore, these proposals should promote the stable environment and cost

containment required to allow insurance companies to reduce premiums and for reinsurance to be acquired.

Mr. Speaker: That completes the business for today.

The House adjourned at 6 p.m.

CONTENTS

Wednesday, November 12, 1986

Members' statements

Economic recovery plan , Mr. Gordon	3216
Occupational health and safety , Mr. Martel	3216
King Clancy , Mr. Sargent, Mr. Rowe	3217
Property assessment , Mr. McFadden	3217
Land transfer , Mr. D. S. Cooke	3217
Block Parents , Ms. E. J. Smith	3218

Statements by the ministry and responses

Flooding , Hon. Mr. Kerrio, Mr. McCague, Mr. Harris, Mr. Rae	3218
Natural gas pricing , Hon. Mr. Kerrio, Mr. Andrewes, Mr. Rae	3219
Young Leaders Tomorrow program , Hon. Ms. Munro	3222

Oral questions

Tariffs on softwood lumber , Mr. Hennessy, Hon. Mr. O'Neil, Mr. Pope	3222
Sewage treatment plants , Mr. Partington, Hon. Mr. Bradley, Mr. Brandt	3223
Auto pact , Mr. Rae, Hon. Mr. Peterson, Mr. Breaugh	3224
Automobile insurance , Mr. Rae, Hon. Mr. Kwinter	3225
Emission discharges , Mr. Dean, Hon. Mr. Bradley, Mr. Mackenzie	3226
Acid rain , Mr. McGuigan, Hon. Mr. Bradley	3227
Hospital waste , Mr. Andrewes, Hon. Mr. Bradley	3227
Women employees , Ms. Gigantes, Hon. Mr. Scott	3229
Soft drink containers , Mr. Partington, Hon. Mr. Bradley	3230
Automobile insurance , Mr. Swart, Hon. Mr. Kwinter	3230
Sale of lands , Mr. Partington, Hon. Mr. Grandmaitre	3231
Nursing homes , Mr. D. S. Cooke, Hon. Mr. Elston	3231
Stabilization payments , Mr. Stevenson, Hon. Mr. Riddell	3232
Rental agencies , Mr. Philip, Hon. Mr. Kwinter	3232
Shoreline protection , Mr. McCague, Hon. Mr. Grandmaitre	3232
Heritage languages , Mr. Grande, Hon. Mr. Conway	3233

Petitions

Health care costs , Mr. Turner, tabled	3233
Insurance rates , Mr. R. F. Johnston, tabled	3233
Equality rights legislation , Mr. Haggerty, Mr. Guindon, tabled	3234
Naturopathy , Mr. McGuigan, tabled	3234

Reports by committees

Standing committee on regulations and private bills, Mr. Callahan, agreed to	3234
Standing committee on the Legislative Assembly, Mr. Breaugh, adjourned	3234

Private member's motion

Motion to set aside ordinary business, Mr. Swart, Hon. Mr. Nixon, Mr. Harris, agreed to	3235
Insurance rates, Mr. Swart, Hon. Mr. Kwinter, Mr. Ashe, Mr. Philip, Mr. Offer, Mr. Hennessy, Ms. Bryden, Mr. Callahan, Mr. Runciman, Mr. Mackenzie, Mr. Haggerty, Mr. Pierce, Mr. Warner, Mr. Poirier, Mr. Sheppard	3237

Other business

Polish Independence Day, Hon. Mr. Nixon, Mr. Newman, Mr. Shymko, Mr. Rae	3215
Visitor, Mr. Speaker	3222
Remarks by Premier, Mr. Speaker	3222
Resignation of member, Hon. Mr. Conway	3233
Adjournment	3259

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Barlow, W. W. (Cambridge PC)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Dean, G. H. (Wentworth PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Gigantes, E. (Ottawa Centre NDP)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Guindon, L. B. (Cornwall PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Hennessy, M. (Fort William PC)
 Johnston, R. F. (Scarborough West NDP)
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
 Mackenzie, R. W. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 McCague, G. R. (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McFadden, D. J. (Eglinton PC)
 McGuigan, J. F. (Kent-Elgin L)
 Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
 Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)

Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting
Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs
and Minister of Northern Development and Mines (London Centre L)
Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Runciman, R. W. (Leeds PC)
Sargent, E. C. (Grey-Bruce L)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Smith, E. J. (London South L)
Stevenson, K. R. (Durham-York PC)
Swart, M. L. (Welland-Thorold NDP)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Turner, J. M. (Peterborough PC)
Wildman, B. (Algoma NDP)



No. 63

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament
Thursday, November 13, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers

Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 13, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

REMUNERATION OF RETIRED EMPLOYEES

Mr. McLean moved resolution 64:

That in the opinion of this House, the practice that retired members of the Legislature or senior civil servants while receiving retirement allowances may also receive remuneration as a member of a board, commission or other body holding office at the nomination of the Lieutenant Governor in Council is improper and fiscally irresponsible; therefore, this House, recognizing the inequity of the present policy and the need for fiscal integrity relating to taxpayers' moneys, recommends that this practice be ended, while at the same time the retirement contributions made by those affected should be protected.

The Deputy Speaker: The honourable member has 20 minutes for his presentation and may reserve any portion of it for the windup.

Mr. McLean: In this resolution, I want to bring my considerations and concerns to the attention of the members of the House and the public. I think government must act in the interests of the people who elect it. When it comes to appointments or patronage, the needs of the people often run last. This is unacceptable.

I have long been concerned over the actions of governments that seem to ignore the average man or woman on the street when it comes to making appointments to bodies in or related in one way or another to the government of the province or the country. I am fully aware that I am referring to the practice of all three political parties. This concern is represented in the resolution now before this House.

Who is qualified for appointments? The man or woman on the street never, or seldom, appears to have any of the qualifications necessary. It appears that you have to be a retired member of this House or a retired civil servant to qualify. Often some people choose retirement and the offer of a government appointment to follow so

they may benefit from the double incomes they will receive.

This is what double-dipping is all about. It is the process whereby persons, be they civil servants or former members, with retirement allowances from the government receive appointments to other government organizations or committees. They receive double incomes: their pension benefits and their salaries, honoraria or fees. I believe this is wrong.

My resolution proposes that we end these practices. This resolution will apply to all persons in all parties; so there is nothing political or partisan about it. Constituents throughout Simcoe East have responded positively to the resolution, and they represent the total collective political spectrum.

This resolution simply means a member of the Legislature or a senior civil servant who retires may not draw from two sources of public funds. It means a person must not receive his or her pension income at the same time as he or she is receiving other government income. This income can result from being a member of a government or paragovernment committee or board.

I hasten to add that this legislation will not cause any loss of pension in these circumstances. The pension benefits that would normally accrue earn interest for the recipient. He or she will receive increased benefits when the pension finally begins to be paid.

I have considered this resolution for a long time. With the recent spate of government going-away packages and golden handshakes, I feel the timing could not be more appropriate. Someone has to show some concern for the taxpayers' dollars. We should look at this—and I have two bills that were presented a few weeks ago—as a way of returning to fiscal responsibility. As members are all aware, not only do we have to be fiscally responsible but also we must appear to be so.

If the members opposite are under any impression that people on the street are not aware of the generous sendoffs and handsome appointments such as those received by our previous Clerk and former members of this House such as Mr. Di Santo, Tom Wells and Vern Singer; if the

government and the third party members are not aware of the disgust of the taxpayers over these matters, they must be asleep. How could anyone in this House not be aware of the taxpayers' concerns? Yet the double-dipping has been going on for years, goes on today and will continue to go on unless we have the courage, and it will take courage, to put an end to it.

I have proposed two bills to deal with this double-dipping. One refers to previous members of the Legislature, and the other deals with civil servants. To my way of thinking, it is morally wrong for people retiring on very generous pensions to use the inside track to appointments such as those given to Ian Deans or Stephen Lewis. Yes, those are federal matters, but nevertheless it is morally wrong, whether it is in this House or not.

There are many people in this country and this province who have the qualifications of former members such as Mr. Di Santo, who is now the director of the office of worker adviser. Mr. Di Santo gets a healthy pension as the former New Democratic Party member for Downsview and a salary that I am sure we would all like to have as an extra income. Did Tom Wells need a double income after he left the Legislature? Did Jim Breithaupt? Did Russ Ramsey? Did Stuart Smith? Did Michael Cassidy? They all have retirement benefits from this House, and they all have appointments to other government posts as well.

I believe there must be many people who could have served in the positions now held by the people I have mentioned. If for some reason only Frank Drea was qualified to be the chairman of the Ontario Racing Commission, he should have to accept the fact that his pension as a former member would be held in abeyance—earning interest, of course—until he completed his term as chairman of the commission.

Government boards and agencies are filled with retired government employees, be they former civil servants or members of this House. The list is endless, it seems. The Workers' Compensation Board has seen a Lieutenant Governor as its head; currently, Bob Elgie, a retired cabinet minister, has that job. I believe John Smith, a previous Minister of Correctional Services, still works there. The Ontario Police Commission, the Ontario Municipal Board and other boards, commissions and chairmanships are filled with former civil servants and legislative members.

The situation is unfair. It was bad practice in the past, and it is bad practice today. It is fiscally

irresponsible to appoint without open competition. It is immoral to provide a double income from the taxpayers, on top of the impropriety of appointing people based on their inside track position.

I urge each member of this House to search his or her conscience. I urge members to take a stand that will demonstrate and prove to the people of Ontario that they want to end the practice of double-dipping. I urge them to end a bad practice so the future can be made right. I urge them to have courage and the necessary intestinal fortitude to support this resolution to end what has been for many years and is still an irresponsible practice.

However, I wonder why this should take courage. Courage is what the soldier needs to go into battle and face the enemy. Where is the enemy in this case? The public is not the enemy. We are not enemies of each other. We argue and debate on behalf of the taxpayers who put us here, but we all have the very same goals: to care for the citizens of Ontario and to do what we can to improve their lot where possible and practical. We must not therefore be hindered by the past. The past is a teacher and we are its students. We must learn from the past, from the good and the not so good of the past, and apply this knowledge to the future if we are to serve the people.

10:10

On the matter of the double-dipping, which has going on for a long time, we have the capability of ending it now. Perhaps it was not so terrible a thing a decade or more ago, but times change. Things are different now. There are not the dollars around now to allow such generosity as there were before. We all have to tighten our belts a bit.

Perhaps measures such as I proposed in the two bills introduced previously are truly necessary. The measures are not so serious that anyone is going to starve by having one source of income removed for a time. We are not taking anything away that a person requires for his or her basic substance. We are saying to this House that in the future we must take a responsible position in the matter of what one can and cannot take from the government's pocketbook, which is the taxpayers' pocketbook.

We will have to face the facts of life, act in a manner related more accurately to the facts of this generation and not let past precedents totally influence our present decisions and future actions. The status quo is an unacceptable thesis. People have to share the moneys of the public coffers, and one place to begin is to eliminate the

practice, which has been all too prevalent, of filling both pockets with taxpayers' money when one pocketful is sufficient reward. I am looking at the member for Oshawa (Mr. Breaugh), because I know he would like to have both pockets full.

We have to tighten our wallets and seek means whereby the available dollars can go as far as possible. We on both sides of this House know this to be true, even if we may sometimes disagree on the means to accomplish it. However, this should not be one of those times. We have at our disposal a way to begin the battle in bringing fairness and equity into one specific area that has need of fairness and equity, where retired members of this House and senior civil servants are receiving pensions while at the same time they are receiving salaries or fees from the same government pocket.

I said a few minutes ago that we are not enemies but that we do need the courage of a soldier who is facing the enemy. It may appear a little contradictory, but we do need a great deal of courage in this matter. We are all affected by the present practice. We may well be affected in the future when we ourselves retire and perhaps seek future employment with a government body.

I hope this resolution and the bills to which I referred receive the full attention and support of this House. In doing that, members will demonstrate to the taxpayers of this province a readiness to redress what has become an unacceptable practice and one that must end. Whether or not members are concerned about what the taxpayers think about their actions in this regard, members by supporting these bills will play a credible part towards fellow members in bringing honour and credibility to affairs of the state here in this Legislature. I urge all members to consider and support this resolution.

I would like to make one clarification. At the start I indicated people were drawing extra salaries. I also realize there is one former member drawing a pension who is also elected by the people and who does not qualify in this case. I refer to Michael Cassidy, formerly the member for Ottawa Centre, who is now a federal member. However, several others have government appointments and are drawing double salaries.

I will retain the balance of my time for the end.

The Deputy Speaker: The member is retaining eight minutes and 15 seconds for his wrapup.

Mr. Breaugh: I am interested in the fact that it was the member for Simcoe East (Mr. McLean) who put forward this resolution this morning. I appreciate the fact that he has been born again.

For 42 years this was an all-right political practice. For 42 years there was nothing wrong with double-dipping and patronage appointments; all that was fair.

Just last year it was okay for Clare Westcott, as one example, to have his pension doubled and then take an appointment in the public sector. There was no need for courage then. There was no need to speak then. I appreciate that before Margaret Scrivener, as another example, took her appointment—I believe it is to the Criminal Injuries Compensation Board—the member did not raise this point.

As one example, it is a pretty good concept that a member retires from a cabinet position with a good pension. Ordinary members do not have good pensions here, but if they have been in the cabinet, they do. They make as much on pension as they would as an ordinary member here, as some in the 14th century club are discovering these days. On top of that, they pick up appointments at \$60,000 a year or so. It is not a bad or a cruel thing. However, the courage that was called for this morning was noticeably lacking that short time ago.

We have done some research on this, and while I appreciate it is in the spirit of being born again, which is laudable, I have a little trouble. The member for Simcoe East said, "If you line only one pocket, that would be enough." There are those of us who might suggest that lining even one pocket may be wrong in some circumstances. The problem with the resolution—and it is not a bill; it is a resolution—is that it is a broad brush. It is too simplistic an answer to what is a very complicated problem.

Let me go in sequence on ways in which we could do something positive. First, on the appointments themselves, we have recommendations being considered by the government that a new appointment process with a review provision be attempted. This government seems a little less enthused over it now than it was a year ago, but it has not discarded it totally.

I wanted to read into the record this morning a list of the appointments—and here is the appointments book, now a matter of public record for the first time in better than half a century; so we are making some progress. I leaf through the book. I could find in here about a dozen people I recognize from opposition benches or from the previous government who have made their way into the new appointment process. It seems to follow the pattern set by Brian Mulroney: appoint one person from the opposition side and 1,000 of your own and proclaim that is balanced. I do not

think it is balanced. That appointment process is wrong, and it needs to be looked at.

Let me be more specific on some research we did that is pertinent to the case at hand. We looked through the appointments. One of the things on which all members will agree is that there are some glaring examples of unfairness and wrongness that one can quote.

It should also be pointed out that of the 1,928 appointments this government has made since it came into office—and as I said, I found about a dozen from the opposition side who have made it through that process; so it is that fair—about 50 of those almost 2,000 appointments could be considered to be full-time, well-paid jobs. Those people have not retired, and if they are getting an appointment that brings in \$50,000 to \$60,000 a year they do not need their pensions from here.

However, the rest of them, by and large, are appointments to conservation authorities, local boards and commissions, the administration of Old Fort Henry, the St. Lawrence Parks Commission and things of that nature. It would seem to me we would want former members of the assembly to be participants in that kind of process. Most of them get a per diem. They get an expense allowance. They get a trip to an annual convention somewhere. I do not have any problem in the world with saying those people are fine; leave them alone.

I would rather see an appointment process that is public and subject to review. That would do us some good. It would be fair to pinpoint, and we can do that, those appointments that are full-time jobs and relatively well-paying. By relatively well-paying, I mean they pay about \$20,000 a year more than members of the assembly get. It is not hard to nail those down and to say that for those jobs, those people have not retired and so they should not pick up their retirement plans here and the full salary in the public sector somewhere else. The really gross appointments are not among the members. The really gross ones come from the civil servants who get salaries at twice the rate of members and have a tendency to pick up the larger public appointments. That is where the real atrocities occur.

10:20

I would find this concept supportable if the member were to redefine his target here. That is important. For instance, the member for Windsor-Walkerville (Mr. Newman) has been here for a long time. If he ever decided to retire—and that does not appear to be very likely; he may be here for another century—I would be happy to suggest that he would be very fine on a

parks commission or on a conservation authority. He has some expertise that should be used. He should not be forced to pay the penalty, because he has been an ordinary member, of giving up part of his pension to take such an appointment. I want a clearer target and a more public appointments process. That needs to be said.

Second, on the larger question, we do have to look at this. There are atrocities, and the member has named some. For example, I find it very difficult to talk to people who are on fixed incomes, pensioners by and large, in my own constituency. It is pretty tough to explain to them how someone out of this place gets a pension that amounts to several million dollars. It is tough for me to explain to people who are struggling to get passes on public transit, or discounts more likely, why it is necessary for the assembly to provide a car and driver for a former employee. That is a little tough to explain, because there is no rational explanation in the world.

It is not acceptable to say to our pensioners, “We are going to give you a four per cent increase in your pension;” and to someone else, “We are going to double your pension and give you a \$60,000-a-year appointment as well.” People understand the blatant unfairness in all that.

The member could have chosen, and it was his choice, to be a little more specific in his target. The concept is right, if he had been a little fairer, but he lumped everyone into it. He made the correction himself at the end of his introduction.

Michael Cassidy was a member of this assembly for a long while. The argument could be made that running in a federal election is an appointment process of sorts, but it pretty well is open to anybody who wants to run and it is hardly a government appointment. He did just that; so to lump him into the scheme is quite wrong.

The member may challenge the validity of making appointments from former cabinet members or former members of the assembly, but I would argue that people such as Margaret Scrivener, with whom I never agreed in all the time I was here, is a competent person who can serve well on a number of boards and agencies.

My argument is not against that kind of process. I do not think former members should be blocked from doing that or penalized for doing that. I do feel, however, that if the member targeted this kind of resolution a little more carefully, he would very soon sort it out.

By my count, there are about 50 positions that would be considered appointments in the public sector; they are full-time, good-paying jobs. The member can make a very good argument that the

people in these jobs have not retired but have changed jobs and are doing something else. If the member redefined the resolution to say those people should not be permitted to take a pension and still have that kind of employment, I would be very supportive.

I would be even more supportive if the proposal did not come from a Tory member who has been around here. To be honest about it, the Tories put in place the patronage system in Ontario. I find it difficult to accept, now that they are out of office, that they are suddenly fiscally responsible, born again, very moral and full of courage, when I go through the book and see that the vast majority of the appointments in Ontario came from that old patronage system.

It is changing ever so slowly, ever so mildly and not nearly enough. I want major changes, and then I will be prepared to look directly at this kind of resolution, more clearly put and more precisely put, to catch those where there is something wrong. In doing that, I do not want a broad brush that prevents former members of this chamber from using the expertise they have learned in years of public service on a local board, agency or commission. That would be dreadfully wrong.

I know what the member is saying. He has a good intention, but I am amused that the intention came to the fore only at this time and was not present three or four years ago. I simply want the target redefined. Until he does that, I cannot support the resolution.

Mr. Mancini: I hope the member for Windsor-Walkerville is not the only one here. Where are the other guys going?

I wish to take this opportunity to make some comments with regard to the resolution put forward by the member for Simcoe East. I found the comments made by the member for Oshawa (Mr. Breaugh) interesting indeed. What we heard was a dissertation. Actually, we heard two dissertations. One was for the public at large, to satisfy public concerns about whether members were being remunerated too well or not well enough and what should happen to members after they leave this House. He was sympathetic to the concerns of the public. His second dissertation was to us as members of the assembly, saying, as a colleague, he wanted all his other colleagues treated in a fair way.

I want to be more specific than the member for Oshawa. I think I can make a case that will sound reasonable for people who have all the facts and that will sound reasonable for people who have served well in this assembly.

My 11 years of experience have shown me that members of this assembly from all parties work very hard and diligently indeed. As a matter of fact, if one were to compare the dedication, work and output put forward by the members of this assembly as a group, we would stand up to any other group in society. We have nothing to be ashamed of as far as our work is concerned. We certainly do not have to be ashamed of our remuneration or of any of the benefits we receive. We seem to forget that we are people at executive levels. We run large offices and handle the problems of many thousands of people, three score thousand and more. On top of all that, we do very complicated work here in the assembly and in committees.

If possible, I want to set aside once and for all, at least for me, the notion that we are not quite up to standard or are not quite up to what we are receiving. As a matter of fact, I think the opposite is true. At the same time, I know members are not here to make money. Therefore, the issue of money in many respects clouds all the other issues that members are concerned about as far as their services and benefits are concerned.

Having said that, I want to make it very clear that as far as I am concerned, I do not find it offensive that the previous government appointed former members of the assembly, outstanding members of the assembly, people who had served their province and their constituents well, to other offices, where they could bring their expertise and continue to serve.

At the same time, I do not find it offensive in any way whatsoever that our new government has appointed Bob Elgie to the Workers' Compensation Board of Ontario and Odoardo Di Santo, a former New Democratic Party MPP, to the directorship of the office of worker adviser. George Samis, another former New Democratic Party MPP, was appointed to the Ontario Highway Transport Board, and Donald MacDonald, a former leader of the New Democratic Party, was appointed to the Commission on Election Finances. I can name a few others, but I think I have got my point across.

The member for Oshawa made a similar point, that some former members, some of them former ministers, were asked to serve in a different capacity after they left the assembly. I do not find that offensive or wrong. Members should never forget that the pensions we receive after having served a number of years are—to some extent, compared to most other pensions; I should say to a large extent—are paid by us. We are at the stage now where we pay 10 per cent of our gross salary

into our pension plan. The vast majority of members have no outside interests after they have been a member for four, five, six, seven or eight years. If they had interests when they came in, after a half a dozen years the interests they had at the time are not as relevant after the passage of years.

10:30

I know the member for Simcoe East is addressing a concern that has been voiced by some members of the public, but I do not think it is fair to say to members that they cannot later serve the people in other ways. Yesterday, we heard the member for Port Arthur (Mr. Foulds) would not be running again. That was a personal decision by the member for Port Arthur. All of us know and realize the New Democratic Party member for Port Arthur can serve the people of Ontario in a different capacity when he leaves this assembly. Why should he be discriminated against? Why should he be declared *persona non grata* just because he was a member of the assembly?

In private practice, in private industry and in private business, many people who have worked for a company and who have decided to leave that company are hired back by the company by one method or another. The individual has decided to work outside the bureaucratic procedures of the company on a freelance basis. The company, realizing the person has a great deal of knowledge, information and commitment, hires the person back. They do not say to that person: "You worked for us a number of years. We will discount the fact that you paid into your pension. You cannot collect your pension and work for us at the same time."

The member for Sudbury East (Mr. Martel), who has served this assembly for many long years, has not made any announcements about his intentions. There are a lot of other members across the floor who have not made any announcements of their intentions. All of them would be declared *persona non grata*. I do not think that is fair. People work hard when they come here. You do not last in this business, as the member for Sudbury East has done for 19 years, unless you are fully dedicated and giving your all and utmost to your constituents, to your party and to the general population as a whole.

People have to start understanding that we are not here on a free ride. There are no free rides in our political lives. The member for Simcoe East must know the demands that are placed on him and on his colleagues. The resolution makes it sound like this: "We have been here for a few

years. Thank God, we have qualified for our pension." No comments are made about the 10 per cent of our gross salary that we pay into the pension. No mention is made about the actuarial deductions that are made if one tries to take an early pension; pensions are slashed almost in half. None of those comments is in this resolution.

No comments are made about the fact that the vast majority of members are unable to have any outside interests whatsoever to satisfy their income for future years. We are like everyone else. We have families and obligations. Many of us may want to continue to serve the people in some capacity. Why penalize us? If this resolution is good enough for the members of the assembly, it should be good enough for everybody.

I find it somewhat annoying. I know the member for Simcoe East well. I know he has positive concerns and he puts this forward with a positive viewpoint, but after a while, one gets tired not only of having the general public attack the members of the assembly for benefits or gratuities they think we receive and believe are in overabundance when it is not true, but also of having our own members perpetuate it. That is the main reason I cannot support it.

I want to put this on the record. I hope I have not complained in the past, and I do not recall that in my 10 years in opposition I actually complained or raised a fuss about a former member of the government receiving an appointment. I hope I am not being somewhat hypocritical today. I thank the member for bringing this forward for debate.

Mr. Ashe: Listening to the responses to the motion put by my colleague, one thing that has come forward is that there seems to be some general unanimity in all three parties that possibly the spirit of this resolution is in order in the context of picking out a few examples that are very difficult to comprehend on an individual basis. It is very difficult for a taxpayer to comprehend. Frankly, as I see the resolution, it is much too broad brush in its approach. It is really not appropriate and not one I can support in its written form.

I agree wholeheartedly that if a member, a civil servant or a public servant is retiring with a substantial pension—and I appreciate and accept that everything is relative—of \$30,000, \$40,000, \$50,000 or as much as \$60,000 a year, he should not be going into another position that is also being paid for out of the public purse in roughly those same terms; in other words, a job paying

\$40,000, \$50,000, \$60,000 or in some cases \$70,000 or \$75,000 a year, over and above his pension. That is the spirit of the resolution that I concur with. Frankly, I do not think that is fair to anyone, especially the taxpayers of Ontario.

I agree with the comments that in some cases an individual may have a particular or unique talent that makes him the best appointment, but surely there is a way to take care of that. As a simple example, if someone has retired on a \$45,000-a-year pension and has the qualities and qualifications to earn the right to a job that pays \$75,000 a year, surely he is entitled to \$75,000. Whether it is \$45,000 plus \$30,000 or \$75,000 and the pension is deferred in this case, I have no problem with it. It is only fair to the individual, to the system and, most important, to the taxpayers.

I do not agree that everyone should be put in the same category and that if you retire from this place, whether as a public servant or as a member of the Legislature, you are not in a position to be able to contribute to society on an ongoing basis because of your interest or unique talent or because you just do not want to retire from active public life.

There are many boards, commissions, agencies or even contract-type jobs that pay only nominal sums, and one may very well need to top up a retirement income; if it is in the area of \$20,000, \$25,000, up to \$30,000, obviously depending on the time frame, probably that individual is going to need to supplement his or her income in any event. If that person can contribute to the ongoing wellbeing and advancement of the province, surely there should not be anything in place that would deter at least the consideration of that individual to continue to serve the taxpayers in Ontario.

Unfortunately, that is what this resolution does. I do not think the member for Simcoe East realized it would encompass this group of people, because I know him to be a fair-minded individual. I do not think he intended to include those people—to use the examples of my colleague the member for Oshawa—who may be appointed to boards, commissions, conservation authorities or whatever, where we are talking about only a nominal sum, a nominal per diem, a nominal per annum rate, and possibly some expenses. I do not think this is out of line at all. If anything, it should be encouraged.

If one has been around this place for any number of years, whether in an elected capacity or in a senior public-servant capacity, we hope one has gained some level of expertise in whatever area may have been more attractive to

one's particular interest or talent. Surely it is a shame to put such persons out to pasture if there is still an opportunity to utilize those abilities, those capacities and those talents for the betterment of everyone in this province.

10:40

I am not going to take up my full time. The two previous speakers said, in varying degrees, the same thing I did. We are asking, if people have talent, why should that be held against them? At the same time, it is unfortunate that within—I will be generous and say the past year or two—there have been some rather glaring examples of the illustration that was used: the golden handshake, the platinum handshake, the full pension situation for an extremely high-paying appointment. These are the glaring examples that I do not think we can justify in any case.

Surely that is the intent of this resolution, but unfortunately, that is not what the resolution says. I do not think it would be fair to the system or to the taxpayers of Ontario to eliminate automatically the talent that is around us. In fact, on the basis of the way this resolution is written, I cannot support it.

Mr. Swart: I rise to take part in the discussion on this resolution because I consider it is a very significant issue that the member brings before us. As has been stated by the other speakers, I think there is general agreement with the principle of this resolution. All of us agree that when appointments are made by a government primarily on the basis of a person's allegiance to or activity in a political party, that is not a good basis on which to make a decision.

It certainly is true that within this Legislature, as within most other legislatures and the Parliament of Canada, that has been one of the factors, and a major factor, in many of the appointments that have been made. We all recognize that there is a cynicism on the part of the public with regard to politicians. Some of it may be justified and some of it may not, but we as elected members will encourage that cynicism if we permit or practise double-dipping, whether it is done for ex-members of this Legislature or for public servants.

It brings discredit on our parliamentary system and on our democracy. I suggest it brings almost as much discredit as do people who may cross the floor of the House in the hope of getting some lucrative appointment, probably still within the political system, when they get on the other side.

Mr. Warner: If they live that long.

Mr. Swart: If they do not get defeated in the next election.

It is a practice not only of governments to do this sort of thing but also of opposition parties to dig up all the scandal they can in this regard and give it a high profile. Certainly, the Conservatives in Ottawa under Mr. Mulroney scathingly denounced the Liberals for all those appointments they made at the end or just before the end of their term. Of course, when the Conservatives got into power there, Mr. Mulroney used exactly the same practice as had been used by the Liberals before.

We see that to some extent in this House, after a government which for 42 years practised the patronage system in many ways. I do not think the member who introduced this resolution would deny that. In fact, I dare say the father of the Leader of the Opposition (Mr. Grossman) had a nice, lucrative appointment by the government of this province that was in power for 42 years. There are other people such as John Yaremko and so on. To this point, I think it is true to say the new government has not blatantly practised that to the same degree the previous government did.

However, having said that, I do accept the sincerity of the member in introducing this resolution. In fact, I believe it is a practice he would like to see eliminated in this Legislature. I accept his sincerity, at least partly, because he did name numbers of people within his own party who had been appointed.

Mr. Shymko: One.

Mr. Swart: I heard at least two.

If he was trying to make a totally partisan remark, he might not have done that, although that may have been for the purpose of deflecting criticism such as mine if he had not named those people.

It has already been pointed out that although he named Mike Cassidy, I think he did that erroneously because, as he well knows, that was not an appointment. He could have been without that job. No government that was in power had anything to do with Mike Cassidy being a member of the federal Parliament at this time. In fact, it vigorously opposed his bid but was unsuccessful, for the good of this nation I might add.

I was surprised a bit at the member for Essex South (Mr. Mancini), who seemed to spend most of his time defending the principles of the members of this Legislature, the fact that we are all honest people and that the public thinks we are not up to standard, but that we have nothing to be ashamed of. He used those little phrases himself. I do not think we need defending like that. I think

he missed the whole point of this type of resolution and this issue.

What we have to be concerned about is the perception of the public in the democracy. As members of this Legislature, we have to be sure we refrain from doing those things the public can construe as lining our own pockets or doing favours to friends. That is absolutely essential in a democracy. It may not be just a matter of whether we are putting in these long hours and doing a good job. I respect members of this Legislature too. I have some idea of the hours they put in and the work they do, but what we have to think about is the perspective the public has of us as leaders. We are the ones upon whom their judgement of democracy is based and therefore we have a very special responsibility.

I feel like the others that the resolution we have before us is badly flawed. To say in the resolution that we recommend that this practice be ended and leave it at that does not really deal with the issue at all. Surely the member must have some idea of the way of ending it. He should have had that in the resolution, whether he wanted to point out that the appointments process is flawed, as my colleague the member for Oshawa has pointed out and with which I agree, or whether he should have suggested a policy such as they have in many of the European democracies.

Years ago, I had two visits to study government in England and in Sweden, mostly local government but also the central government. I found they have a policy there, even for local government representatives, that one cannot be appointed to a full-time position by a government, regardless of the level of government, until one has been out of office for at least a year or two years. It varies from place to place.

10:50

Perhaps that is the route we should go here, because that makes it much more difficult for a member to resign and get an appointment immediately. If he has to wait for a couple of years, he will think twice about taking that appointment and therefore it will deter that kind of practice. Maybe that is the route we should be taking. As my colleague the member for Oshawa said, there should be a much more open process.

In conclusion, I am going to have a great deal of difficulty in voting for this resolution because of its scattergun approach and because it does not propose any means of effecting the principle espoused in this resolution.

We as parliamentarians must give the lead to establishing the standard of democracy we want to have in our society and to the public generally.

The matter of special favours, lining our own pockets or lining our friends' pockets, is a very major factor in their determination of that quality. Although this resolution may not be passed, I hope the government will follow up on this and bring in the necessary legislation.

Mr. McLean: I would like to comment on what has been said by members of this Legislature in regard to this resolution. The member for Oshawa made some good points. It is difficult to bring in a resolution that suits everyone and has the proper wording. However, the intent of the resolution was directed at senior civil servants or members of the Legislature who retire, then get an appointment to a board or a commission, draw a salary of more than \$50,000—some are drawing \$90,000—and get a pension. That is the intent of the resolution.

I concur with some of the comments made with regard to the commissions, the conservation authorities, the local police commission or the local housing authority. There are many boards that are very minimal and that are included in the 1,928 appointments the member mentioned. I concur with that. That is not the intent of this resolution. However, it says "boards and commissions."

The head of the police commission in Toronto is a political appointment, so to speak, making some \$80,000 a year. The head of the compensation board is probably making the same amount of money. The chairman of the transport board is making a large salary. The list goes on and on. These are the type of people I am aiming at in my resolution. However, it is difficult to specify in detail in a resolution the ones we should look at. It is not the intent to single out the heads of the other boards and commissions who are appointed and perhaps make \$100 a month or \$25 a meeting. It is the full-time appointments. Perhaps that could have been better clarified in the resolution.

The member for Oshawa indicates that these appointments have been going on for years and years. I dare say they will continue. I have been here since 1981, so I am not responsible for a lot of the appointments, nor do I want to say they were wrong. When people accept appointments and they have a pension of \$30,000 a year, it bothers me that it is all public money. It all comes from the taxpayer.

As the member for Oshawa indicated, one talks to people at home who are on fixed incomes and who have problems making ends meet. They read in the paper and see on television these great appointments being made of members of the

Legislature or senior civil servants. I do not agree with that. This is why I brought the resolution forward.

The other reason is that I have two bills, Bills 140 and 141. I would like to see the government show an interest in them as a priority. I do not understand how the member for Essex South can stand up in this House and say he agrees with what is taking place. In essence, that is what he said, that he agreed with it. The reason he agreed with it was that as politicians we probably pay more in pension than a lot of other people do. One has to qualify for the pension with age plus number of years of service. The age is 55. The number of years as a member plus one's age must equal 55 before one can qualify. Lots of people can retire at 45 from this Legislature and draw a hefty pension plus a great salary.

The member for Durham West (Mr. Ashe) made some excellent points in his remarks. I concur with his comments and his criticism of the resolution. So be it. It is not what I would call a perfectly worded resolution. The intent of the resolution is what I am getting at, namely, people who have an appointment with a large salary should not also be drawing a pension from the public purse.

I was surprised at the comments of the member for Welland-Thorold (Mr. Swart). He mentioned that our leader's father has an appointment. I do not know what it is. I know he is doing volunteer work now. I know he had one in the past. I can only say I know he does not have one now. I was also interested in the comments of the member for Welland-Thorold when he indicated what has taken place in other countries such as Sweden and the policies they have. A further investigation into that is worth while because what he was saying made sense to me. I hope we have the opportunity to have a further look at that.

I think the resolution before this Legislature today is a good one. I still ask for the support of all members. The intent is there. I believe the government should take this resolution and complement it with the two bills I have, Bills 140 and 141, and bring a bill into this Legislature. From the comments from all parties today, this would stop the double-dipping, and senior civil servants and members of the Legislature would be treated equally to everybody else in Ontario.

NUCLEAR ARMS FREE ZONE

Mr. R. F. Johnston moved resolution 1:

That in the opinion of this House, the province of Ontario, Canada, should declare itself a nuclear arms free zone and the government

should prohibit the deployment of nuclear weapons in Ontario, the testing of nuclear weapons and associated equipment in the province, the construction of nuclear weapons and associated equipment, the transport of nuclear weapons and associated equipment through and within the province and the export of goods and materials for use in the construction and deployment of nuclear arms. In addition, the province should encourage cities, provinces and states throughout the world to initiate similar action.

11:00

The Acting Speaker (Mr. Morin): The honourable member has up to 20 minutes for his presentation and he may reserve any portion of it for the windup.

Mr. R. F. Johnston: I would like to reserve some time at the end.

This is called The Chariots of War. It reads:
For 20 years they built it.

When it was ready they started it.

It was the most appropriate of all machines.

No machine had ever howled like it,

spat fire and steel from its maw,

hurled earth around it, as it did.

But having started it

they could not make it halt.

It trampled all beneath it

cattle, children, the ripening fields.

It rushed to towns and ground them underfoot,

moved from land to land, nation to nation

sparing nothing.

When it had maimed everything living

it stopped at last in a meadow, there it still
spat fire and steel from its gullet.

After many generations,

when life began to rise again on the earth,

people built a fence around it

and set beside it an inscription,

which could be seen for leagues:

"This was made by our fathers
in inconceivable insanity."

That poem by a Finnish writer symbolizes what has taken place in terms of the proliferation of nuclear arms, the lack of control out there and the huge trepidation we all have that this machine, once unleashed, can destroy everything we hold dear.

Since April 1983, this resolution we are debating has been resolution number 1 in Orders and Notices. I have gone to extraordinary lengths to make sure it was always number 1, including introducing it the day before the speech from the throne was read, to make sure nothing else got in first. I did that because of its symbolic importance. No issue we deal with in this Legislature

has the profound implications and importance that potential nuclear annihilation does. That we address it here in this Legislature and take responsibility for it has been a cause of mine now for these many years.

Listening to the radio these days, with all the golden oldies emphasis that is out there, is a mixed blessing. It reminds us of our youth and brings back great joys, but it also reminds us of how old some of us are getting. The other day I happened to be listening to one of the stations that play these old songs from the 1950s, when I was young. I heard one I had not heard in 30 years, the song about the rubber tree plant and the ant. I do not know whether you recall it, Mr. Speaker, but a line in it went: "Everyone knows an ant can't move a rubber tree plant." The song went on, "The ant had high hopes and with those high hopes eventually moved the rubber tree plant." I have felt somewhat like the ant on this issue in this House, because the previous time I introduced it, it was defeated and did not go as far as I wanted.

I believe it is important to maintain high hopes. High hopes need actions to reinforce them, especially around this issue, on which cynicism is so profound and the sense of powerlessness is so great that those of us who have responsibility should take it. We are debating here today whether we have the responsibility on this issue, whether we want to say we have power or are powerless—I hope we do not wish to say we are powerless—whether we are sovereign or only pawns in this whole proliferation horror around us and whether we are tethered by cynicism or liberated by hope.

Three years ago, when we introduced this resolution for the first time, my friend the member for Hamilton West (Mr. Allen) did me the honour of using his time to bring it in that fall, almost at this time. We had a whole week of events to try to encourage people to participate and to get interested in this issue. We did unique things such as holding a play in the Legislature, besides the theatre of the absurd in which we often participate on a regular basis. It was written by Erika Ritter and was a wonderful thing, which basically asked, if a nuclear war were just about to happen, who among us would get into the government bunker? In that I am still on the opposition side, I presume I never will; but perhaps the Conservatives, now being on this side, may have more interest in that debate than they did three years ago.

In a more serious vein, we also had one of the survivors of Hiroshima here, and there were

many moving moments, none more moving than the debate itself. I will always remember the speech of the member for Kitchener-Wilmot (Mr. Sweeney). As members who were here may recall, I had great difficulty maintaining my own emotions after he spoke. It was perhaps one of our best afternoons here in terms of the quality of debate and the attitudes of members; but the vote, unfortunately, went against.

Many things have changed since 1983. Manitoba has declared itself a nuclear weapons free zone. We do not have to worry about being the first or about what will happen to us. The government of Manitoba was actually re-elected, I remind people. It does not have to fear. The balance of power throughout the world was not unduly upset by Manitoba's declaration, but it was a little beacon of light for all of us to look at and take hope from.

New Zealand, on the other hand, took major action and has caused somewhat of a furore within its alliance with the United States because of its statements around nuclear weapons free action, but what it indicated was that it can mean something. It does not have to be just a statement of principle; it can mean something in terms of a new force on the superpowers in taking action.

I remind members who do not know that Spain made its entry into the North Atlantic Treaty Organization conditional upon not having nuclear weapons placed on its soil. Iceland, the recent host of the summit and one of our allies, is also a nuclear weapons free zone.

Here in Ontario we have gone from just a scattering of municipalities that had declared themselves nuclear weapons free to 51 that I know of as of today. More than a third of the people in the province have voted municipally to say they want to be free of this umbrella of nuclear madness that all of us are living under. If municipal politicians can say it is their responsibility to act and make a statement, then surely we as provincial politicians can do so as well.

There has been another change for me. I have a child now whom I did not have in 1983. If I understood what the member for Kitchener-Wilmot was talking about and what other people were talking about, when you have a child and you understand what our gift of the future may be to the next generation, that is no future at all. It adds another whole layer of emotional import to this kind of discussion.

On the other hand, during the same period we have seen an escalation in the arms race. Even in spite of the fact that the majority of Canadians are against cruise missile testing, the cruise missiles

are being tested in our country. We have seen the failure at Reykjavik. I do not know how other members felt about it, but when I saw them come out in the afternoon with the joy in their faces and a seeming solution there, and then saw the results that night, I was crestfallen. I felt absolutely let down and betrayed by the leaders of the two superpowers. I think that has deepened the cynicism in people.

Of course, we have the Star Wars escalation, which is supposedly a solution but which, as any of us can gather, is just another way of adding more weapons to that enormous stockpile. I remind members who do not remember the statistic that there are about 50,000 nuclear weapons in total on both sides at this point. No matter how you balance it out, the overkill capacity is just enormous.

I thought the cynicism that had developed because of that would immobilize people, and I have noticed among the peace movement that people no longer want to march or to take the walk to city hall in Toronto, as they did when we used to have 20,000 people out. They want to see action, and there is a determination and a quiet resolution in people's minds about getting action that I had not seen in 1983.

In this campaign, I presume many members have been called by people in the peace movement or by interested people in their community who knew the resolution was coming up and who have talked to members quietly about why they feel this is important.

11:10

Going back to that whole golden oldie business, a song that was very important to me was one by Buffy Sainte-Marie; it is called *The Universal Soldier*. I do not know whether members remember it, but the words to that song were:

He is a universal soldier and he really is to blame,

His orders come from far away no more,

They come from him and you and me, and brother, can't you see,

This is not the way we put an end to war.

I believe people now understand that we all have individual responsibilities. It is crucial for each of us to take whatever steps we can at whatever level we have influence to try to change the path that seems so inextricably drawn to our total annihilation.

I remind people of the studies that have been done on the attitudes of children concerning nuclear war. Please remember that in studies done in Boston, a majority of kids in high school

these days, when asked what their future was going to be, said they had no future. They could not anticipate living more than another 15 to 20 years, because they presumed we would all be destroyed. What does that do to the moral fibre of our nation, to the sense of hope and of improving our society that all the next generation should have?

I am pleased there are some students in the gallery today from places such as Welland and Burlington who are expressing other feelings and are here to ask us to support this resolution. A couple of high schools in Brampton have declared themselves nuclear weapons free in the past couple of weeks. It is another statement of this need to act wherever we can.

What are the elements of our complicity that we as Ontarians should deal with? There is the whole question of the production and sale of tritium, which for generations we have been selling from Chalk River to the United States for the development of nuclear arms. What are we going to do with Darlington? Are we going to continue that export? What kind of controls will we put on it to make sure tritium is not used for the construction of nuclear weapons? This resolution says there has to be at least control.

What about defence contracts? We do not know how many there are, but we know that Litton, for instance, produces the guidance system. This resolution says that kind of production should not be possible in Ontario. How we, as a Legislature and as a government, will deal with this is another matter. I presume we all agree there should be no loss of jobs. No company that has gone into a contract legally in this country should be penalized because we are now expressing a new will. We should find ways to make sure companies do not have to resort to the undertaking of defence contracts for nuclear weapons production or component parts production in Ontario.

Research is going on at the University of Toronto and the University of Waterloo. We should know what that is and whether it is for direct defence contracts or whether it has a more general use that we can support. There is transportation of goods for nuclear weapons through our province, and this summer we had port visits by ships that may have had nuclear weapons on board.

Let me remind members what this resolution is about. This is just their expression, as individual members of this House, of a principle they want to have enunciated. That is what we are talking about. If members pass this, it is one small tiny

step towards what we must do. If we do this, I presume the next step is to say to the government, "There is now a moral obligation on you to take some action that reflects the principles of this motion."

That could take a number of forms. It could mean introducing conversion legislation to help companies such as Litton convert to production for peaceful high-tech purposes. It could mean setting up a small group of us to get together to work out policies that would reflect this principle and together to produce that kind of statement. It would also allow us to talk with the federal government and say: "Manitoba and Ontario together make up almost 50 per cent of the country in population. It is time the federal government looked at this as an issue that has national consequences."

I will come to the final matter in a minute, which is reciprocity, because the member for High Park-Swansea (Mr. Shymko) touched on a very important issue in his proposed alteration of my resolution.

First, let me deal with the neutrality question. Even the Toronto Star, which has been a great proponent of disarmament issues for the past little while, in opposing this resolution has made one of those fundamental errors in logic that a lot of us make from time to time. It has said that for us to act here on this kind of issue and to make a statement of our desire to be nuclear weapons free is to express neutrality; it is to say we must withdraw from the North American Aerospace Defence Command and the North Atlantic Treaty Organization. Those are things I might personally be in favour of, but they are in no way part of this resolution. That argument is an insult to Spain and Iceland, and it is an insult to everything Papandreou is trying to accomplish in Greece within the context of NATO; they are saying there must be room to move.

To make the argument that we, as a sovereign Legislature, cannot express our will or make a statement along these lines, I suggest, is to make the argument that as a true ally, of the US in this case, we must always accept unequivocally what the strongest ally in the alliance wishes us to do. The final result of that would be to say we are obligated, if they asked us, to place nuclear weapons on our soil. It would be an abrogation of sovereignty to do so. We have to understand that there is a balance in this. I am not suggesting we should do anything that undermines the alliance.

The other thing I am not suggesting is that we need to trust the Soviets in all this. I do not trust the Soviets, and I say that very clearly. I have

seen no reason why they should be trusted. As a democrat, I have an absolute abhorrence of their totalitarianism. I stand here, as do all members, with the ultimate privilege of free speech. We cannot be touched in anything we say. That privilege is one of the most magnificent rights that can be conferred, and it is not permitted in the Soviet Union. I also abhor their suppression of many of the national groups that are under their bloc's control at this point; however, they are there, they have enormous power and they must be dealt with on whatever terms we can try to do so.

The very last section of this resolution therefore becomes very important; that is, the question of reciprocity, what I put down as encouragement of other cities and states to participate. How we want to change that from this resolution into government action is something I leave up to the members of this House.

I do not think it is a correct parallel, I might say to the member for High Park-Swansea, to say that one of the Soviet republics should twin with Ontario. In my view, the equivalent of that parallel would be to say that a number of the US states should parallel with one of the major republics within the Soviet Union. However, it is possible to say that within the satellite sphere of Romania, Bulgaria or any of those countries, we should be looking for somewhere to parallel with, looking for some sign of reciprocity.

I welcome the notion that we should be pushing for that. If it were the will of this House and of the government that we should hold up a final statement on our policy until we find and try our best to negotiate that, I personally would be happy. That would be a major step forward and a wonderful thing for us to do in terms of a sense of empowerment.

Before I stand down to hear other people, there are a number of people I must thank. First, there are the peace movement people, who have worked so hard to try to talk to members and convince them to support this resolution. Second, I want to thank two members of the House, the member for York East (Ms. Hart) and the member for Burlington South (Mr. Jackson), for the work they have done within their caucuses. This is not something usual in terms of private members' hour, and I do appreciate their assistance. Third, I want to thank my own party, the New Democratic Party. It has made this its policy very strongly at conventions, unanimously at conventions.

We were trying to find somebody to be the second speaker for our caucus, but how do we

choose? Should we choose the member for Hamilton West (Mr. Allen), who introduced it last time, because of what he has done, or the member for Port Arthur (Mr. Foulds), who has done so much work in Thunder Bay on the issue? The member for Oshawa (Mr. Breagh) wanted a chance to do it, and the member for Welland-Thorold (Mr. Swart) asked whether he might do it. In the end, we decided the most appropriate person to be our second spokesman was our leader because this issue is so fundamentally important to us. I am very privileged that the member for York South (Mr. Rae) has decided to do that for us.

Before I sit down—I obviously will not have any time for a rebuttal, Mr. Speaker, but with my incredible sense of timing I am going to use up every second—I would like to plead with the members one more time that today can be a very historic day for this House, in stating a principle we wish to follow. Then there is much work to be done in terms of how we would implement that and how we would refine the definitions that are within my motion to reflect the reality of the province. I would welcome working with each member to make this symbolic gesture a very practical reality.

[Applause]

The Deputy Speaker: I remind the people in the gallery that demonstrations of any kind are prohibited under the rules of the House.

11:20

Mr. Henderson: I am very pleased to rise and support this motion as vigorously and energetically as I can. I thank the member for Scarborough West (Mr. R. F. Johnston) for the superb job he has done over the years in championing this cause. I cannot quite bring myself to thank his party, but I am sure that deficit will be made good by others. I want to spend a few moments responding to some of the arguments made against the thrust of this resolution. I will use the last part of my time to offer some facts and figures of my own in support of it.

The comment has been made that this resolution goes too far, that it speaks not only against nuclear weapons on Ontario soil but also prohibits the construction of nuclear weapons and associated equipment and the export of goods and materials for use in the construction and deployment of nuclear arms. The argument, so it goes, is that this makes it too broad, too all encompassing and too difficult to enforce and that it dilutes the thrust of the member's motion.

The second argument is that by virtue of Canada's obligations to NATO and NORAD, it

is hypocritical to pass a resolution such as this, that it amounts to a declaration of neutrality on the part of Canada. I state these objections only to say I cannot agree with them at all.

It does not seem to me necessary at this time to become too involved in the details of whether associated equipment or materials and construction are covered. What we are looking for is a strong and very vigorous endorsement of the principle that Ontarians want no part of nuclear weapons and nuclear escalation. This motion says that very clearly. As well, it seems to me that it is simply not so to say that our obligations to NORAD and NATO require that we defeat a resolution such as this. To put the matter somewhat starkly and baldly, war, armaments and treaties have been around an awful lot longer than nuclear weapons. While I am not in favour of any of those things, it seems to me that one can decide to do away with nuclear weapons without necessarily dismantling Canada's entire network of treaty arrangements.

The third argument against this motion centres on the fact that we cannot trust the Soviets. With respect to the Soviet bloc, as the member for High Park-Swansea observes in his memo—I apologize for anticipating his remarks, but I will not get a chance to speak after he does, so I am going to make one or two comments now—the Soviets have not declared one square inch of their territory as nuclear arms free zones. Fair enough; to the best of my knowledge, that is so. He says that perhaps it would be appropriate for us in Ontario to pass a resolution that will make the declaration of nuclear arms free zones in parts of the Soviet Union a reality. I wish we could. It seems to me, however, that we are into the time-honoured difficulty of everybody wanting somebody else to take the first step. Distrust and suspicion abound on both sides. We saw that only a few weeks ago at Reykjavik.

Everybody wants somebody else to take the first step. Surely the time has come when Canadians and Ontarians can have the courage to take the first step. Perhaps by doing so, the goodwill we will generate, if not the sense of one-upmanship we will generate, might encourage, provoke or persuade the Soviets to reciprocate in kind.

I want to say a few things about the holocaust of nuclear war. If my city of Etobicoke were bombed with a modern nuclear weapon, every man, woman and child would be vaporized. No sidewalks would be left to bear the shadows. The deaths of those at ground zero would at least be painless. One has that consolation because where

once stood Etobicoke would instantly stand a very large, hot, radioactive crater.

In 1981, a large group of atomic scientists, statesmen and military people, some from nations of the Warsaw pact, met in Washington. A year later, they met in Cambridge. They agreed that a one-megaton weapon, one twentieth the strength of those now available, if exploded over any modern city, would demolish all its structures, kill 90 per cent of all people within a four-mile radius, burn, blind or cripple 60 per cent of others within reach of the initial blast and create 300-mile-an-hour hot winds.

It would kill or disable 60 to 80 per cent of all physicians, nurses and aides, almost totally destroy clinical facilities and drug supplies and virtually abolish medical care for the tens of thousands of blinded, maimed, burned, crippled and emotionally wrecked survivors who would be in such desperate need of help. It would condemn a third of all adults and half of all surviving children to the dangers of leukaemias, diminished resistance to infection, neurological disorders and cancer, and it would destine their offspring to abnormal genetic pools for endless generations. That is a nuclear weapon of one twentieth the strength of those now available.

Let us do what we can in Ontario to rekindle the spirit of Reykjavik. Let us demand that our governments stop the nuclear arms race and work with the other side to abolish nuclear weapons everywhere.

I want to make mention of the huge economic price we pay for the nuclear madness that prevails in the world today. The cost of training and equipping a single modern soldier would subsidize a child's health needs from birth and cover his or her education through to the end of college.

For the price of one atomic submarine, hundreds of thousands of skilled and unskilled workers put into service could eradicate endemic diseases throughout the world that constitute 80 per cent of all illness. If the \$1.5 billion spent daily by the nations of the globe in war readiness were diverted to human purposes, one third of the world's population that is now dying from disease and starvation could be rescued. Ethiopia could become a land of plenty.

Among the tens of thousands of children thereby rescued would be hundreds or thousands of new Pasteurs, Einsteins, statesmen and peacemakers. I am told that Harry Truman, God rest his soul, made that fateful decision to bomb Hiroshima and Nagasaki, but who among us really stands blameless? Who among us has not

participated or been tempted to participate in those rationalizations we all hear about of having to bomb Japan to end the strife and save the lives of thousands?

Let us face it, the United States did not bomb Japan to save lives; it bombed Japan to win the war. It knew people would die and it figured better it should be Japanese than Americans. That is the mentality of total war. The innocent suffer and die too.

I have been told that Japanese scientists, working on their version of the bomb, who knew of the American work, none the less mounted a go-slow campaign in defiance of their war ministry because they were sure the Americans would never use the bomb on people. So much for man's humanity for man.

Even rich nations cannot afford the nuclear arms race. They print or borrow money to cover war expenditures. They devalue their currencies and fuel inflation. They raise taxes and interest rates. They divert resources from the central industries. They close factories and set into motion a worldwide rise in unemployment and economic insecurity. I am not an economist, but those kinds of consequences have been traced to various aspects of the nuclear arms race by men and women who are more expert in that field of endeavour than I am.

I believe we must mobilize every possible influence to end this waste of mankind's precious resources. We must develop world institutions and world bodies that can resolve global conflicts. We must turn our human efforts to mutual and creative advantage. We must combat the ignorance, poverty and illness that fuel the hideous spiral towards nuclear tragedy.

11:30

The countdown is approaching. I am almost out of time, but let me tell the members, the countdown for humanity may well be approaching too. I join the member for Scarborough West in urging every member of this assembly to support this very worthy motion.

Mr. Jackson: It is an honour to stand in support of a resolution declaring Ontario a nuclear arms free zone. Like all members of this assembly, I participated in the hallowed observances on Remembrance Day, November 11, just two short days ago. The message that day was clear. We seek an everlasting peace in memory of those who gave their lives so that we could have the freedom to achieve a lasting peace. Amidst my reflections on Remembrance Day, I found time to read an article in the Toronto Star. The headline—"Arms Talks Break up in a

Shouting Match"—was both frightening and prophetic.

The article carried a Washington dateline and began as follows:

"Serious arms-control negotiations between Washington and Moscow are unlikely to resume until the spring, say aides to US Secretary of State George Shultz, after a meeting last Wednesday turned into a shambles.

"Both sides repeatedly screamed at each other 'like children,' one aide said."

It is frightening to imagine that the future hope for nuclear de-escalation is in the hands of these adults; yet how prophetic that this conduct is styled as being childlike. Have they really listened to the children of the world? They are certainly not listening to the young children in Burlington who this week gave testimonial in our community newspaper, the Burlington Post, when asked the question, "What would you do to make the world a better place?"

Here is a sample of what they said. Greg Staskovich, a grade 5 student at Lawrie Smith School, said, "Get rid of nuclear weapons." Devin Williams, a grade 3 student at Lawrie Smith School, said: "We should choose governments who won't make weapons or buy them." Collin Neal, a grade 2 student at Lakeshore School, said, "Stop making guns and give people food and schools."

I think Collin understands what is happening with declining enrolments as well.

Susil Gupta, a grade 2 student at Lawrie Smith School, said: "Stop shooting guns and bombs." Mark Louis, a grade 2 student at Lawrie Smith School, said: "Don't spend money on bombs. Give it to poor people for food."

Perhaps the most insightful comment came from a grade 4 student, Stace Smith, who said: "Dismantle the bombs. It's like suicide if we don't."

Children all over Ontario are becoming increasingly aware that the nuclear arsenals of the two superpowers currently contain the explosive force of all the munitions exploded during the Second World War times 6,000. That is 6,000 Second World Wars.

Children such as Stace Smith are growing up with the threat of global nuclear suicide. When I was in university, I used to question why would I want to bring up a child in that kind of nuclear-threatened world. Now, as a father and as an MPP, I must do something about that on behalf of my daughter Amy, because our children will continue to have nightmares and tremble at the apprehensions that not joy but

terror "cometh in the morning." Early childhood researchers are concerned about the powerful psychological threats posed by nuclear weapons right now to the capacity of children to imagine a human future.

That is why it matters very much what we think and how we vote on this important resolution as individuals, as a province and as members of the human race. Thanks to the doom-and-gloom theorists, our children have clear thought models for what a nuclear end might be. What is conspicuously lacking from today's political leaders is a positive model for peace. We need more thinkers and leaders who can hold before us an alternative to a nuclear holocaust, to empower us and unleash the positive energy of our collective will.

Again, for those who will listen, there are encouraging signs from Ontario's young adults. On October 20, the United Nations Club of Aldershot High School in Burlington held the Halton region's first peace conference to celebrate the International Year of Peace. That United Nations Club is a group of young Canadian students very concerned about world peace. It provided a forum for Halton youth to express their views on the subject. The students of Aldershot High School believe it is not enough simply to reject the apocalyptic view of human destiny. They feel a need to say yes with heart and intellect to a wholly positive alternative. They agreed at their conference that world peace could be achieved only through responsible and positive action taken by a joint effort of all peoples and governments.

Our younger generation is also aware that man holds in his mortal hands the power to abolish either all forms of human poverty or all forms of human life. The Annual Report on World Military and Social Expenditures suggested that in the last 40 years the world has spent \$17 trillion on military spending. That is 17 plus 12 zeroes. Most recently, it has been spending at the rate of \$1 million a minute. Four hours of such spending could eradicate malaria from the earth. Less than 10 hours' worth would end the world's hunger problem.

The modern globe is far too small, its nuclear weapons too destructive and its disorders too contagious to permit anything short of a resolution towards peace. In fact, this resolution is on behalf not only of Ontarians but of all humanity. This resolution is not really ours as a Legislature; like so many other social initiatives today, it has come from the people. It is the result of efforts that began with individuals and groups across

this province and across this country that are concerned about our future. They cross partisan lines and they cross ideological lines. Nearly 50 communities have declared themselves, by referendum, nuclear arms free zones. In the last municipal election, the people of Burlington, by a margin of four to one, declared themselves in favour of a nuclear weapons freeze. They are the grass roots that all three parties defend with such eloquence and seek out with such diligence.

The people want an end to the arms race. They expect from us as legislators a sign that we too want an end to it, because if we do not succeed in extricating ourselves from this vicious \$1-million-per-minute cycle, we shall all of us be lost together; and the longer we continue to march ahead on this fateful road, the more difficult it will be for us to leave it. It is the fate of this generation to live with a struggle we did not start, in a world we did not make; but as we know, the pressures of life are not always distributed by choice. While we hope and pray we will never experience a nuclear Armageddon, never has there been a generation more willing and able to meet the challenge of developing a positive model for peace and a positive framework for nuclear disarmament.

Members of the Aldershot United Nations Club are present in our assembly this morning to bear witness to our responsible and positive actions. They know our responsibility will be discharged not by a simple pronouncement of virtuous ends but rather by nonpartisan, all-party support of this resolution to ensure at least a first step, namely, that Ontario will declare on behalf of its citizens that it is a nuclear arms free province.

Mr. Rae: I rise on behalf of my colleagues, first of all, to thank the member for Scarborough West for having once again brought this resolution forward and for having made all the members of the Legislature aware of the importance of this issue. I know on behalf of all my colleagues and, I think, on behalf of the members of the Legislature that we owe a debt of thanks to the member for Scarborough West for the work he has done in making all of us more aware of the importance of Ontario's taking a stand.

I speak as leader of our party, but I am also speaking very personally. Just the other day I was chatting with my daughter about the meaning of Remembrance Day. She is five years old and she wondered why I was wearing a poppy and what the meaning of Remembrance Day was. My wife and I were talking to her and said that it was because there were wars. She said, "What are

wars?" We said that wars happen when countries fight. She said, "How can countries fight if they do not have arms." Out of the mouths of children come questions and truths that need some answers.

11:40

The history of our civilization, alas, has been that countries do have arms. They have generations of young men and women who have gone into battle and been killed in the name of national sovereignty. They have arms in the sense of weapons that have been used as the means of defence and as the means of destruction over the course of the last thousands of years.

Yet, and this is the crucial change that has to take place in our thinking, there is a difference between the generations that followed 1945 and every other generation in human history. We have to come back to this point time and time again. Whenever we talked of war in times past, we talked of people dying and of people being killed. We talked of people fighting for a purpose, of people defending and of the response to and fro. Never before in the history of mankind has mankind had not simply the ability to destroy a city, village or town or even a country; for the first time in our history, we have in our hands the ability to wipe out the human race itself. It is this fact that has been leading us over the past number of years to have to come to terms as a people and as a civilization with this change.

It is a sea change, a change of quality and a change of a kind that our thinking cannot quite comprehend. It is not simply that we have the ability to destroy part of ourselves. It is that we now have the capacity in our hands, technologically, to destroy history itself, to destroy not simply a country or a town but also to destroy the entire notion of civilization itself. This is a fact so awesome that it is almost impossible for us to comprehend.

What is so tragic about these debates is that we continue to have these debates as if we were talking about a technology that was based in the 19th century. So much of the military strategy that is thrown back and forth is based on the premise of the old technology that is no longer in place.

When I hear President Reagan say, "All we need to do is find yet another technology that will protect us for ever in a purely defensive way from the threat of nuclear weapons," I think of those generals who believed before the First World War and the Second World War that all one needed to do was to build another trench, another line, another wall, and that would be the ultimate

defence. Nations paid the price for that kind of thinking before 1914 and before 1939 and 1940. Civilization, life itself on this planet, will pay the price for that kind of arrested thinking when it takes place in 1986.

The objective of our resolution is not simply that Ontario become nuclear-free. I speak for all the members of our party when I say the objective of this resolution is to make the world free of nuclear arms and weapons, free of what President Kennedy called this sword of Damocles which hangs over not a particular country, town or even leader, but our civilization itself.

There are a lot of arguments against this resolution. There are those who say that for us to move unilaterally is somehow sending the wrong message. There are those who say that this represents a unilateral act of disarmament on the part of Ontario, while on the other hand we have a Soviet empire which is clearly not interested in disarmament.

Let me try to respond to that as best I can. Many comments have been made about my past. I see the Treasurer (Mr. Nixon) is here again today. I am proud of the fact that my father served this country overseas for many years. One of the things he did—I am sure the Treasurer is aware of it—was serve as Canada's representative at disarmament conferences from 1946 to when he retired in 1980.

As a young boy, I attended many of those conferences. I can remember as a high school student in Geneva going to the Palace of Nations, which was the old site of the League of Nations, and watching the group of 18, as it was then called, talking about the possibilities of disarmament and the various arguments made. For a young person, it was enlightening and frustrating, frustrating because there never seemed to be a sense that anything would ever happen. Official positions would be stated. Documents would be exchanged. At the same time, arsenals were being developed, new generations of weapons were being developed and, again, official statements being made back and forth.

There have been small breakthroughs, such as the breakthrough in 1963 with respect to the test ban treaty and the breakthroughs with respect to SALT I and SALT II, but they have been so slow in coming. It is so difficult to get any sense of momentum or appreciation among the leaders of both superpowers, that the world has, somehow, to find a voice, a way of expressing its deep-seated feeling. It is not just a question of reducing, little by little, the nuclear arsenal; it is a question of wanting to eliminate it altogether.

I share the thoughts of the member for Scarborough West. Watching the outcome of the Reykjavik conference, I thought most people around the world did not view it as a triumph. When I saw President Reagan put on that military hat and cheer to the soldiers, I felt a deep sense of depression. We missed an opportunity at Reykjavik. I say "we" because I think many in the world felt cheated of an opportunity finally to take the world on a path towards a nuclear-free future.

That opportunity was missed, and this resolution in its own small way for Ontario gives us a chance to express the opinion of this province and this group that we want to make sure, for our part at least, that we do not want to have anything to do with nuclear weaponry.

Ms. Hart: Although I cannot match my colleagues in eloquence, I rise to speak in support of the resolution to declare Ontario a nuclear arms free zone. I think it particularly fitting that we are engaging in this debate during Remembrance Day week. Just two days ago, many of us gathered at cenotaphs across Ontario to honour the thousands of women and men who died fighting in two world wars and in Korea. I am convinced that those noble Canadians did not shed their blood so that we might hold a few more yards of muddy ground, nor was their youth extinguished for the hollow honour of victory. They went, they fought and they died so that future generations of Canadians would live in peace.

11:50

My generation is one of those for whom they sacrificed. Born after the Second World War, we have not known the immediate pain of loss, as did our mothers and our grandmothers. What we have known all our lives is a more generalized fear, the fear of nuclear annihilation. It is a fear which clutches us at root and informs our perception of the future. Last spring the graduating classes of Ontario high schools were asked what concerned them most. These young people, supposedly in the most carefree time of their lives, spoke again and again of nuclear war. Their idealism and hopes have been supplanted by pessimism and fear. Today, as private members, as legislators, we have an opportunity to take the first step in addressing that fear.

It is true that the passage of the resolution is symbolic in nature and does not require any specific steps to be taken. I have been asked how such a symbolic gesture advances the cause of peace one whit. My answer to that challenge is

that every great river is born as a few drops of water, a mere trickle high in the mountains.

The peace movement is not new. Think of the poetry spawned by the First World War. An example is Siegfried Sassoon's *Aftermath*. In his words:

The past is just the same and war's a "Bloody game."

Have you forgotten yet?

Look down and swear by the flame of the war
That you'll never forget.

We in this House can most effectively demonstrate that we will never forget by standing up and being counted on the side of peace. It is only a small step, but in talking to my constituents in York East, I believe it is an important step. The strong desire for peace is no longer the province of the literati. There has been progress. It is now the desire and the hope of many ordinary Ontarians that we will have a future and that the future will be nuclear arms free. Let us stand up and cast a vote for all Ontarians in support of the resolution of the member for Scarborough West.

In closing, let me say we can best remember those who died, by working for peace. May I leave you with the words of Vera Brittain, a nurse in the First World War, as was my own grandmother, and a courageous pacifist when it was not fashionable to be so. These words are from *The Last Post*, a poem she wrote in Etaples, France, in 1917.

The stars are shining bright above the camps,
The bugle calls float skyward, faintly clear;
Over the hill the mist-veiled motor lamps
Dwindle and disappear.

The notes of day's goodbye arise and blend
With the low murmurous hum from the tree
and sod,

And swell into that question at the end
They ask each night of God—
Whether the dead within the burial ground
Will ever overthrow their crosses grey,
And rise triumphant from each lowly mound
To greet the dawning day.
Whether the eyes which battle sealed in sleep
Will open to reveille once again
And forms, once mangled, into rapture leap,
Forgetful of their pain.
But still the stars above the camp shine on,
Giving no answer for our sorrow's ease
And one more day with the Last Post has gone,
Dying upon the breeze.

I urge the members to speak with one voice in making sure that never again will the last post be sounded in war.

Before I take my seat, I wish to compliment the member for Scarborough West and the member for Burlington South (Mr. Jackson) particularly. This is an issue which transcends partisan concerns and party lines. It is an issue which speaks to the very future of our children and our children's children. If we want that future to be peaceful and not to have our children annihilated in a nuclear war, then we must vote together.

Mr. Speaker: The member for High Park-Swansea for two minutes.

Mr. Shymko: I want to express concern. It is unfortunate that on such an important topic this party is not given time equal to that given both the Liberal Party and the New Democratic Party in debating this, particularly for a member of the Legislature who may have a different point of view. I have been given two minutes and I will do my best to express my concerns.

War is madness, and nuclear war is the ultimate madness. There is no one on this side of the House whose remarks, if expressing reservations on this resolution, can be accused of promoting war or in any way being opposed to the process of peace.

When the member for Scarborough West introduced his resolution on November 24, 1983, he said, "When I introduced this resolution this spring—a rather silly, in a sense symbolic, gesture—I did not expect...I would be participating in a debate of the quality we have heard."

I do not want this to become a silly and symbolic resolution. I cannot support a resolution that remains silent on the millions of people whose territory has never been declared a nuclear free zone—not one square inch of it. When Manitoba, New Zealand, numerous American states and one third of this province, as was pointed out by the member, declared themselves nuclear free zones, it had no impact on the other superpower.

I am concerned about the words of our UN ambassador, Stephen Lewis, the previous leader of the third party, who said: "It is unfortunate that the Soviet Union believes that nihilism is preferable to negotiation, butchery is preferable to bargaining." We would like to see a resolution that is bargaining, that is negotiation, that is bilateral, that says, "Take so many square miles of territory—half, a third, 20 per cent of Manitoba and Ontario and your federated states—and declare it a nuclear free zone." That is what I suggest should be supported.

Mr. Speaker: The allotted time has been used for private members' public business. We will deal first with Mr. McLean's resolution.

REMUNERATION OF RETIRED EMPLOYEES

The House divided on Mr. McLean's motion of resolution 64, which was agreed to on the following vote:

Ayes

Allen, Andrewes, Caplan, Cooke, D. R., Cordiano, Cousens, Curling, Dean, Ferraro, Gordon, Harris, Hennessy, Jackson, Johnson, J. M., McCague, McFadden, McLean, McNeil, Mitchell, Nixon, O'Neil, Philip, Pierce, Pollock, Scott, Sheppard, Shymko, Smith, D. W., Smith, E. J., South, Sterling, Swart, Sweeney, Treleaven, Yakabuski.

Nays

Ashe, Bossy, Breagh, Bryden, Callahan, Cooke, D. S., Epp, Gigantes, Grande, Grier, Hart, Hayes, Henderson, Johnston, R. F., Knight, Laughren, Mackenzie, Mancini, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Newman, Poirier, Pouliot, Rae, Ramsay, Reycraft, Stevenson, K. R., Ward, Warner, Wildman.

Ayes 35; nays 33.

12:16 p.m.

NUCLEAR ARMS

The House divided on Mr. R. F. Johnston's motion of resolution 1, which was agreed to on the following vote:

Ayes

Allen, Andrewes, Bossy, Breagh, Bryden, Callahan, Caplan, Cooke, D. R., Cooke, D. S., Cordiano, Curling, Epp, Eves, Ferraro, Gigantes, Gordon, Grande, Grier, Harris, Hart, Hayes, Henderson, Hennessy, Jackson, Johnson, J. M., Johnston, R. F., Knight, Laughren, Mackenzie, Martel, McCague, McClellan;

McFadden, McGuigan, McKessock, McLean, McNeil, Miller, G. I., Newman, Nixon, Philip, Pierce, Poirier, Polsinelli, Pouliot, Rae, Ramsay, Reycraft, Sargent, Scott, Sheppard, Smith, D. W., Smith, E. J., South, Stevenson, K. R., Swart, Sweeney, Treleaven, Ward, Warner, Wildman.

Nays

Ashe, Cousens, Dean, Mancini, Mitchell, O'Neil, Pollock, Shymko, Sterling.

Ayes 61; nays 9.

The House recessed at 12:20 p.m.

AFTERNOON SITTING

The House resumed at 1:30 p.m.

MEMBERS' STATEMENTS

CONSERVATION AUTHORITY

Mr. Sheppard: October 8, 1986, marked the 40th anniversary of the Ganaraska Region Conservation Authority. This authority is one of the original three authorities in Ontario. At 11 o'clock tomorrow we are unveiling a plaque in the town of Port Hope in remembrance of 40 years of dedication.

In the 1920s and 1930s, there was a general concern in Ontario about the extensive soil loss and flooding problems that had become prevalent as a result of severe drought and deforestation. In 1942, the provincial government appointed the interdependent committee on conservation and rehabilitation to consider these problems and the most effective means of dealing with them.

The Ganaraska watershed was selected as a model area to identify conservation needs and make recommendations for remedial work. A report was published in 1944 and two years later the Conservation Authorities Act was enacted. In the same year, the Ganaraska River Conservation Authority came into being, with only six member municipalities at that time. The first major project of the authority was the establishment of the Ganaraska forest, which was officially opened in May 1947.

Today, the authority, with eight member municipalities, is known as the Ganaraska Region Conservation Authority. The Ganaraska forest, now more than 10,000 acres in size and offering watershed residents programs in conservation education and outdoor recreation, is still a major project of the authority.

PROFESSIONAL CERTIFICATION

Mr. Mackenzie: The Society of Ontario Professional Engineers and Administrative Employees, a society representing 6,500 employees of Ontario Hydro, applied for certification on November 5. This will be the largest group of professional employees applying to the board for certification. They already have a voluntary agreement with Hydro, covering all 6,500 employees. They also have 200 exclusions to the current voluntary agreement. These cover management positions.

The word out in the field is that Hydro will be requesting up to an additional 1,500 exclusions

from this bargaining unit. We should recognize that if this is the intent and if this is what they are trying to do, it totally negates the right of workers to organize, workers who already have an agreement and exclusions specifically set into that agreement.

I want to serve notice on the government that I hope it will take a look at this and decide who is running the show, Hydro or Ontario. Do workers have the right to this kind of certification? Why can the current numbers and exclusions not be the basis of the certification? Anything less would be an insult to these workers. I hope the government recognizes the battle we may be in very shortly on this issue.

SCHOOL FUNDING

Mr. Callahan: I would like to do something new. People in and outside the Legislature often do not thank the government for its sincerity and its sensitivity in dealing with particular issues.

In my riding, we had a school, Notre Dame Senior School—young people were being housed in a public school. It was a very crowded arrangement and very difficult. People were being bused in. I want to say thanks to my government and to the Minister of Education (Mr. Conway) for being so kind as to allocate moneys so that these young people can eventually get into a school that will serve their needs.

Hon. Mr. Nixon: Do not forget the Treasurer.

Mr. Callahan: I am sorry, I forgot to thank the Treasurer; I do so now.

CREAM PRODUCERS

Mr. Pierce: I wish to address the House today on a serious problem of discrimination by this government against the cream producers in northern Ontario.

Despite the fact that our northern cream producers are residents and taxpayers of Ontario, they are not eligible for the cream quality programs announced by the Minister of Agriculture and Food (Mr. Riddell) on June 19, 1986. The order in council that outlines who is eligible for the programs states that a producer must be a member of the Ontario Cream Producers' Marketing Board and an Ontario resident.

The cream producers in the Rainy River district, through no fault of their own, sell their cream in the Manitoba market because of the poor cream market in northern Ontario. There-

fore, these cream producers are forced to belong to the Manitoba cream board.

The cream producers in northwestern Ontario were forgotten and neglected when the cream quality programs were initiated last spring. The government has continually emphasized to the House its knowledge and support of the residents of northern Ontario, but how can this be the case when northern Ontario residents are excluded from provincial programs because the government does not recognize the difference between northern and southern Ontario?

I am requesting that a change be made to the order in council to make available to the cream producers in the Rainy River district the programs for which all other cream producers are eligible. As the member for the Rainy River riding, I ask the government to make northern Ontario cream producers eligible for all provincial grants.

LAYOFFS IN SUDBURY

Mr. Laughren: A little less than a year ago, Falconbridge purchased Kidd Creek Mines in Timmins for approximately \$600 million. At the same time, it continued to ship its ores to Norway without their being refined in this country, which we find very offensive.

This year in negotiations with the Sudbury Mine, Mill and Smelter Workers Union, the proud union in the Sudbury area, the company sought concessions. The union said, "No, we have difficulty granting concessions but we will take back shares in return for any concessions." The company hard-lined it and said, "No, that is not acceptable."

Since then, Falconbridge has announced it is laying off 275 hourly rated employees and a number of salaried staff as well. Following that, an ad hoc committee in the Sudbury basin, consisting of the local members of Parliament, the MPPs, the area mayors and the regional chairman had a meeting on October 25. We decided unanimously to have a public inquiry into the intentions of Falconbridge, because there have been some disturbing rumours that Falconbridge may be using its facilities at Kidd Creek in Timmins to refine some of the ores it extracts from the Sudbury basin.

We now, and will be continuing to, call on the Premier (Mr. Peterson) to implement a public inquiry into the intentions of Falconbridge. We think the community has a right to know what its future holds.

HERITAGE ISLAM SOCIETY

Mr. Offer: It is my pleasure to inform the House of the anniversary of the Heritage Islam Society of Mississauga. This organization plays a vital role within the social, cultural and educational life of the Islamic community and in Mississauga as a whole.

As such, it has made a rich contribution to the achievement of multicultural harmony. Every one of the members can and should be proud of his association with such a tradition of service and goodwill.

It is the work of associations of this nature and many others, in meeting the challenge in their determination, energy and commitment, that makes certain this province remains a multicultural mosaic, where heritages, ethnic backgrounds and cultural identities are secure and remain identified within the province as a whole. I compliment the Heritage Islam Society in Mississauga for the work it has done over many years.

ONTARIO WINES

Mr. Andrewes: I have a timely reminder for all members of the Legislature and for others who participate in the daily activities of the assembly that this week marks the introduction of nouveau wine from four Ontario-based wineries.

Bright's, Inniskillin, Hillebrand and Château des Charmes are introducing wines of both the red and white gender. This is the first wine from the 1986 vintage. It is produced by a process known as carbonic maceration.

As members know, 1986 has not been an easy year for grape growers and wineries in Ontario. The excessive rains and the lack of proper heat units and sunshine have added to the miseries of the growers. This normally means that a less-desirable vintage will be produced. However, it appears that the quality of the nouveau wine is exceptional; the best they have had for about seven years.

As members consider what new technology they might use in entertaining, I would certainly commend to them the products of the vines of Niagara.

13:41

STATEMENTS BY THE MINISTRY AND RESPONSES

COURTHOUSES

Hon. Mr. Scott: I wish to report to the assembly on plans being developed with respect

to courthouse construction, maintenance and repair.

Under the Constitution Act, it is the obligation of the government of Ontario to provide courtroom facilities for all courts held in the province irrespective of whether the judges are federally or provincially appointed. We thus provide court facilities for judges of the Supreme Court of Ontario, the district courts of Ontario, the provincial courts of Ontario, criminal, family and civil divisions, and the unified family court. Courthouse facilities include not only the courtroom itself but space and staff for a wide variety of support services.

At the present time we provide courtroom space and services in 246 separate locations in 48 districts. Many of these locations are more than 100 years old. For structural and historic reasons, many of them are difficult, if not impossible, to modify or modernize effectively. Many courtroom facilities are located in premises leased from counties or municipalities. With funds in short supply, the obligation of the municipalities to maintain and repair these premises to fully acceptable standards is difficult to discharge.

Apart from the physical inadequacies of many premises and the burgeoning volume of court work over the last generation, the increasing complexity of criminal and civil litigation long ago made the problem of courtroom and support service space a critical one.

Since taking office as Attorney General, one of my priorities has been to establish for the first time a strategic plan based on consistent principles by which courtroom space could, over the next generation, be provided and maintained. We have begun to develop such a plan and in doing so have established a number of general principles to guide the allocation of resources for court facilities. These principles include:

1. Facilities will be provided only—and I emphasize “only”—in response to proven need.
2. The Ministry of the Attorney General is responsible for the management and administration of the court system. The assessment of need is a critical part of that responsibility and the assessment will be made by the Ministry of the Attorney General and no one else.

3. Courtrooms will be utilized to the maximum extent possible. Therefore, starting now, a courtroom can no longer be assigned permanently to any one particular division of the court.

Pursuant to these principles, we have identified a number of policies that will assist in our decision-making as we provide and manage courtroom space. These policies include:

1. The quality and size of courtrooms, judges’ chambers and court offices will be based upon objective standards and will be consistent with the prudent use of public funds.

2. The provision of new or additional space will be considered only after all other viable options to resolve the problem of need have been exhausted.

3. As a matter of long-range planning, courts should be located in buildings designed for that purpose.

4. As a matter of administration of justice policy, crown attorneys should be located within the principal courthouse or its environs.

5. In situations of need where additional and traditional courtroom space cannot be quickly provided, we are prepared to consider using modular portable facilities, a model of which is available for inspection.

As part of the development of a strategy for the short and medium term, for the first time in Ontario history we are assessing the needs of our courts on a county or district basis. That process involves developing a profile of the judicial district that includes consideration of the economics, the population, the growth potential and existing facilities in each district. We intend to use available funds in consultation with local users and municipalities. As profile reports are completed, I will therefore be sending copies to members of the judiciary, the bar, police forces, municipalities, interested members of the public and our own local staff for review and comment. Very shortly, the first such profile report for Niagara South will be available.

By late autumn we hope that the most critical profile reports will be completed and submitted to local users. Thereafter, we will be in a position to establish our project priority list. In this way, we hope our plans for allocation of available funding against demonstrated need will be made in consultation with affected users and the local community. Our determinations will be a matter of public record.

I recognize that maintaining and improving our court facilities is a major challenge during a period of fiscal restraint when there is so much competition for scarce resources and a significant history of protracted neglect. I believe, however, that by embarking on a strategic approach utilizing significant public and user input and by developing a multi-year plan in which priorities are clearly established, we will be in a stronger position than in the past to maintain the future course that the administration of justice must take

if our facilities are to remain responsive to the needs of the people.

Mr. Sterling: I would like to comment briefly on the Attorney General's brand-new, great strategy to deal with courthouse accommodation in the province. I think he is really injecting another step to forgo the need to provide the funds necessary to build proper courtroom facilities across Ontario.

I note in his principles and in his operating policy that he deals with judges, courtrooms and his crown attorneys, but he does not deal with the needs of the public and what the public should have in each and every courtroom. He does not deal with the much-needed waiting rooms in the halls for people waiting for their turn in court, with the needs of defence counsel to meet with their clients or with proper accommodation for our juries.

When our government was in place, we had priorities. We spent \$50 million of \$120 million in capital construction in the Ministry of the Attorney General. This policy is nothing but a stall. What we need is commitment, action and money for our courthouses.

Ms. Gigantes: I will respond very briefly to the statement by the Attorney General concerning the strategic planning of renovation and expansion of the court facilities in Ontario. The statement is common sense and it is a wonder it did not occur to him before. I will raise only two mild points.

In the last paragraph, the minister refers to the problem of improving and maintaining facilities during "a period of fiscal restraint." One wonders when the government is going to give up repeating that phrase and how much money the Treasurer (Mr. Nixon) has to have rolling around in his pocket before we no longer hear that phrase in every statement.

I thought it a little mean-minded of the minister not to name the program for what it is, the Gerry McAuliffe court facilities program. I think we should honour it with that name and give Mr. McAuliffe credit for the hard work he has done to make the Attorney General move forward on courthouse facilities.

FUNERAL SERVICES LEGISLATION

Hon. Mr. Kwinter: After extensive consultation with the funeral services industry, memorial societies and consumer groups, the Minister of Health (Mr. Elston) and I have agreed that there is ongoing need for shared responsibility of the funeral services sector by the Ministry of Health

and the Ministry of Consumer and Commercial Relations.

We also agree that there is an immediate need for the strengthening and realignment of responsibilities so that there is greater consumer protection relating to the \$200 million held in trust for prearranged funerals. The government will be proceeding as quickly as possible with new legislation in this area.

There is a need for further consultation surrounding the appropriate realignment of responsibilities between the two ministries. I am releasing today two reports made by ad hoc committees studying this matter and reporting to the government that reflect our ongoing consultation and resulting recommendations.

The first report, prepared in 1985, made several specific recommendations concerning the commercial aspects of funeral services. The government will consider these recommendations in discussions with the interest groups over the next several weeks.

The second report being released today deals with factors concerning shared jurisdictions. I want to assure the House we are moving quickly to deal with the concerns contained in these two reports.

Mr. Runciman: First, I will respond briefly to the Minister of Consumer and Commercial Relations on his announcement in respect to the Funeral Services Act. We on this side of the House are glad to see that the Minister of Health won out in that little tussle. The Minister of Consumer and Commercial Relations was saying publicly several months ago that he was going to consolidate everything under his ministry, and of course that caused a great deal of concern within the funeral service industry and within this party as well. We have certainly made our views known. Obviously, the Minister of Health shared those concerns and we have seen some action today.

I also want to make reference to one comment about the fact that a study will be undertaken on cemetery-funeral home combinations. They are going to look at this on a separate basis. I would point out to the House that a study was done on this matter some years ago, a study known as the Turner report, I believe. I have personally made two requests of the minister to have that report made available to me, the members of my party, the members of the monument-building industry and other interested parties from the public, and we have consistently been refused access to that report, which deals specifically with what they are now going to set up another study on. It seems

redundant to me. It certainly has to appear that way unless access is provided to the public and to members of the opposition in reference to the Turner report.

I would ask the minister, before he proceeds any further with this additional study, to make that report available to members of the opposition and to the members of the industry to determine whether another study is warranted at this stage. I suspect it is not.

Mrs. Grier: I am glad the Minister of Consumer and Commercial Relations recognized the importance of the funeral services sector and has agreed to make a statement on that sector. Like the member for Leeds (Mr. Runciman), when I heard the minister say he was going to release two reports, I assumed that one of them was going to be the Turner report. I would like to associate myself with the request for the release of that report, which has been in the hands of the ministry for quite some time now.

When I looked at these statements, which I have not read in detail obviously, I hoped there would be some mention of the concerns expressed on numerous occasions to the ministry about the monument builders. They make up one independent sector of the funeral services industry, largely peopled by small businessmen who find themselves very much in need of the realignment of jurisdictions and the re-examination of the legislation that the minister is contemplating. When we get down to the details of the implications of the statement, I hope they will not be forgotten.

INSURANCE RATES

Hon. Mr. Kwinter: In my capacity as Minister of Financial Institutions, I wish to take this opportunity to inform the House of the government's response to Dr. Slater's Ontario Task Force on Insurance as it relates to aspects of tort law that have been identified by Dr. Slater, the public and the industry as creating uncertainty in the insurance market. Later in my statement, I will also address some other areas discussed by Dr. Slater.

Dr. Slater indicated that tort reform would in the long run help make the tort liability insurance system more predictable and less costly. Members of the public and the insurance industry have raised these issues as being of more immediate concern.

Let me set out three examples of these concerns.

One concern is the waste and duplication that arise when courts allow injured victims the right

to retain benefits received from collateral sources such as private disability insurance or public assistance schemes. By failing to include the collateral benefits in the calculation of the actual loss, courts are said to allow a double recovery on some items. Double recovery can only add to the cost of claims and insurance premiums.

A second concern arises because of the present prejudgement interest rules. More plaintiffs now are delaying the expeditious resolution of their claims in order to increase the prejudgement interest award. Such delays are not only costly but are also a disservice to both plaintiffs and defendants.

A third concern deals with that large part of a lump sum personal injury judgement that reflects a tax gross-up component, an additional sum of money intended to meet the tax obligations that occur when the lump sum is invested.

An example of this arises in the much-cited case of the young man from Brampton who was so tragically injured. Of his \$6.3-million award, approximately \$3 million is compensation for the actual injury, lost income and future care. The other \$3 million represents the necessary gross-up to deal with the tax consequences of investing a lump sum award over a number of years. Again, we are looking at an issue that only adds to the cost of claims and insurance premiums.

The Treasurer (Mr. Nixon) and I have begun discussions with the federal Minister of Finance on our concern with gross-ups and we have recommended amendments to the Income Tax Act that would result in the elimination of tax on lump sum payments.

I would also advise members that the issue of gross-ups, along with double recovery and prejudgement interest, is now under study by Professor Stephen Waddams of the Ontario Law Reform Commission. Professor Waddams is currently examining the broader issues of compensation for personal injury and death. We have asked the Law Reform Commission of Ontario to expedite its examination of double recovery, prejudgement interest and gross-ups.

In addition, the Family Law Act and the issue of joint and several liability are currently being examined by the law reform commission. The commission's team includes advisers from the legal profession, consumers and the industry. We have asked that this study be accelerated, and the project is expected to report by next summer.

As well, the subjects of Good Samaritan legislation and limitation of actions are under active consideration by the policy development division of the Ministry of the Attorney General.

There has been much discussion about capping or placing limits on damage awards for pain and suffering. About 34 American states have recently passed legislation dealing with this issue. In Canada, however, there is no need to place legislative limits on pain and suffering awards because a \$100,000 ceiling was imposed by the Supreme Court of Canada in 1978. With inflation, this amount is now \$184,000. I see no need to further limit such awards.

I would like to point out that not all of Dr. Slater's recommendations were directed to the government. A number of them called for action by the insurance industry itself.

The insurance industry should know that Dr. Slater's task force pointed out the significant differences between the American judicial system and the tort system as it operates in Ontario. The task force concluded that in terms of damage awards and compensation levels, Ontario is not California north, yet sceptics within the insurance industry state this is so. I urge the insurance industry to develop the statistical and analytical program to support its argument, as Dr. Slater proposed.

I would like to summarize briefly this government's activity in some of the other areas relating to Dr. Slater's recommendations.

Dr. Slater called for the government to encourage formation of industry-based insurance pools where there are capacity problems. The Ministry of Industry, Trade and Technology, the Ministry of the Environment and the Ministry of Financial Institutions have all responded to that recommendation; the most recent example being the creation of a US products liability insurance pool for manufacturers and businesses in Ontario who would otherwise be unable to export products to America.

Dr. Slater also recommended that we encourage the establishment of reciprocal insurance exchanges. These co-operative pools of self-insurance will expand the capacity of the insurance market and provide a reliable source of insurance to their subscribers. We are currently assisting a number of groups, including municipalities and school boards, in the process of developing such reciprocals.

In addition, there are several important items of insurance legislation pending, all of which were recommended by Dr. Slater. Among them:

Legislation on the operation of a Canadian insurance exchange that will operate as a domestic reinsurance market, reducing our dependency on the foreign suppliers such as Lloyds of London. This will make a significant contribu-

tion towards relieving some of the capacity difficulties being experienced in the marketplace. We are targeting January 1, 1987, for opening of the Canadian insurance exchange. Further actions pending includes amendments to facilitate the expansion of capacity of the farm mutual insurance companies to write insurance policies and thereby increase the availability of insurance to Ontario's consumers, particularly in rural areas, and changes that will provide the framework for Ontario's participation in a national compensation plan for the general insurance industry.

The latter plan will be financed by the industry for the benefit of policy holders and claimants of an insolvent insurer. As well as protecting the public, the plan has been developed with a view to reducing the possibility of insurance company failures through the implementation of new standards which include increased capitalization levels and higher regulatory requirements. This plan will enhance confidence in the general insurance industry and benefit the consumer immeasurably.

I wish to conclude by saying this government is committed to ensuring a reliable, effective insurance market for Ontario. I will continue to keep this House apprised of relevant matters.

Mr. Runciman: The comments of the Minister of Financial Institutions and his response to the task force really constitute a statement of failure on his part. The government has been in office some 16 months and now he is talking about further delays and further consideration. I have to assume the emergency debate yesterday had some impact, in view of the statement released today and the fact that everything he is mentioning in here I recommended yesterday during my brief comments, but these actions should have been taken many months ago.

We are talking about the Ontario Law Reform Commission being asked to expedite its recommendations. They have been dealing with that for some time; now, at this late stage of the game, we are asking them to expedite their recommendations. The minister and the government should have been doing that 12, 14 or 15 months ago.

We should have had a legislative committee dealing with tort reform. We could have had a package to deal with the crisis brought to the House this fall. All we have now is further delay. Everything seems to be magically targetted towards the middle of next year. I do not know why, but all the reports dealing with the insurance crisis seem to be some time mid-1987.

We are concerned about the government's lack of action in response to the insurance crisis. We urge the minister to move up this schedule and bring solid recommendations to the House as soon as possible.

REPORT, ADVISORY COMMITTEE ON MUNICIPAL LIABILITY INSURANCE

Hon. Mr. Grandmaître: I am pleased to release the final report of the advisory committee on municipal liability insurance in Ontario.

Comme vous le savez, Monsieur le Président, en février dernier, j'ai formé un comité chargé d'étudier les problèmes de coût et de couverture dans le domaine de l'assurance-responsabilité des municipalités de l'Ontario.

Ce comité a publié un rapport provisoire au mois d'avril, qui a été ajouté au rapport de M. David Slater, président du groupe de travail sur l'assurance.

The committee has subsequently held some 20 formal meetings and received many representations from the private sector, the insurance industry and other provincial and municipal government jurisdictions in Ontario and elsewhere.

I am looking for the widest possible input on the committee report and its recommendations. Interested parties will have until the end of January 1987 to comment on this report. After a review of those comments in co-operation with the Ministry of Financial Institutions, proposals will be submitted to cabinet. I will also welcome comments from the honourable members.

Au cours de la journée, j'aurai l'occasion de remettre ce rapport aux membres de l'Association des municipalités de l'Ontario et j'espère recevoir leurs commentaires, de même que ceux de toute autre personne intéressée par la question.

The report will be circulated to all heads of councils, the insurance industry and other interested parties.

Mr. Breagh: I would like to respond briefly to the statement by the Minister of Municipal Affairs on the municipal liability insurance report.

Most of us who deal with municipal councils know the Association of Municipalities of Ontario has worked very hard with the ministry this year to find some solutions to the various insurance problems that municipal governments and others have had over the past year. I want to commend the AMO for its efforts to try to participate in this process and to provide some practical solutions to these problems.

I cannot let the occasion pass, though, without noting that no one in the world will know how much money has been spent by municipal governments, by school boards and by various agencies out there in attempting to get reasonable and proper insurance coverage in the past year. It would have been such a wonderful thing to see, another minister of the crown it is true, but another minister in the same cabinet, take some initiatives that would allow these people to provide decent insurance coverage to all these municipalities, school boards and agencies.

Some of them, such as municipalities, have the financial resources to weather the storm. However, many of the smaller agencies, probably reporting directly to municipal governments, are in some danger with their programs because they cannot get proper insurance.

It is a reasonable approach to set up committees and studies and examine all these things from the industry's point of view; but it is sad comfort to say, as a minister of the crown has been saying lately, that they can get some coverage somewhere as long as they allow themselves to be ripped off by an insurance company. Even though it may be true that they can get some coverage somewhere, the problem with that is that we have wasted literally thousands of dollars in insurance moneys this year.

This report tries to resolve those problems; but it is not looking for a quick fix, it looks for a long-term solution.

The tragedy is that literally thousands of tax dollars have been wasted in trying to see that proper insurance coverage is given to these school boards, municipalities and agencies and they have had very little help from this government.

VISITORS

Hon. Mr. O'Neil: I would like to introduce three special guests in the Legislature this afternoon: Mr. H. Oka, the Consul General of Japan; Mr. Y. Shimooka, a director of Maruzen Co. of Japan; and Mr. A. D. Parker, the president of Utlas International.

Prior to coming into the Legislature this afternoon, there was a signing ceremony in the Premier's office in which a high-technology deal valued at \$9 million was signed between Japan and Ontario. This was the direct result of the Premier's trip to Japan.

RESIGNATION OF MEMBER

Mr. Hennessy: On a point of order, Mr. Speaker: I would like to take this opportunity,

and I think all members of the House will join with me in wishing the former member of Port Arthur riding (Mr. Foulds), who yesterday announced that he will not be seeking re-election—

Mr. Wildman: The former member?

Mr. Hennessy: He is still a member, but he is not here in person, unless you can see him and I cannot.

Interjection: Which would not be unusual.

Mr. Hennessy: That is right, but the leader of the third party can do anything, so there is no problem there.

However, yesterday the member for Port Arthur announced he would not be seeking re-election.

Mr. Epp: The member for Fort William is going to announce today.

Mr. Hennessy: No, no. I have not been offered enough.

Mr. Speaker: Order. I am waiting for the point of order.

Mr. Hennessy: The point of order is that I wish the member well and I think all members wish him well. Thank you very much.

14:09

ORAL QUESTIONS

NORTHERN HEALTH SERVICES

Mr. Andrewes: My question is for the Minister of Health. I want to draw to his attention a serious health care deficiency in northern Ontario.

The minister should be very familiar with the problem of obtaining anaesthetic services in northern Ontario. St. Joseph's General Hospital in Elliot Lake is a well-equipped local hospital with a dedicated medical staff, but it faces a real dilemma because it does not have resident anaesthetist. With winter closing in and with bad weather on the way, access to other hospitals may be very seriously limited.

What action is the minister taking to resolve what is, and will continue to be unless he is prepared to act, a serious health care accessibility problem?

Hon. Mr. Elston: I have been aware of that particular problem and I am well aware that this difficulty has existed for many, many years; it extends back for as many as 12 years or more.

I have met with the people from St. Joseph's hospital. When they were here at the Ontario Hospital Association convention, they brought their concerns to me. I met with two members of

the community of Elliot Lake when they were visiting Toronto as participants in the underserved area program, and they apprised me of the concerns they have. They have received contacts and support from the underserved area program people under Dr. Copeman, and they have been trying to make contacts to see whether they can alleviate some of the difficulties.

I cannot tell the member I can demand that anaesthetists take up residency in Elliot Lake, but I can tell him we are pursuing actively, through the ministry support people, through the underserved area program, every effort we can to provide them with assistance to take some of the pressure off the anaesthetists who are already performing the services there.

Mr. Pierce: The Ministry of Health has been engaged in a study to develop a program that would utilize Dash-8 aircraft to pick up patients who require operations and transport them to the larger centres in northern Ontario. At Atikokan a mother is required to take three days off and bear the costs of transportation and accommodations when she takes her son to Thunder Bay for a simple tonsillectomy. What is the minister prepared to do to assist hospitals such as Atikokan General to perform this type of surgery, and what is he prepared to do for the people who are required to take this amount of time out of their schedules to go for those kinds of operations?

Hon. Mr. Elston: With reference to the tonsillectomy problem in Atikokan, I am not well apprised of that situation. I will take it under advisement and get back to the honourable gentleman.

As he knows, one of the things we have done for northern Ontario is to provide support services for the transport of people to larger centres. In this situation, we are looking at our northern transportation network to provide support for those people. We have taken steps to ensure that travel is available and that we are able to respond to the needs of the people of Atikokan and other areas in the northern part of our province.

Mr. Harris: The minister will know that accessibility to quality health care in northern Ontario is deteriorating every day he is supposedly in charge. Until this month, North Bay used to have four anaesthetists to provide epidurals. Today this service is no longer available in North Bay. I wanted to ask the minister what he was doing, but I know he is doing nothing, so I will ask him why. Why is the minister doing nothing

while the level of these services deteriorates throughout the smaller centres of this province?

Hon. Mr. Elston: I thank the honourable member for his question. He knows right well that we are doing several things, that we are increasing the access of people to health services right across Ontario. If particular people wish to send out letters indicating they are no longer interested in providing services—that is, independent practitioners in a profession that is well recognized as being independent—they certainly can take that initiative.

I can tell the honourable gentleman that concerns are expressed about the opportunities available for people to take special training to provide anaesthetic services, and I am pursuing those avenues as well. I cannot speak for the individual practitioners who decide they will no longer provide services. I cannot force people to deliver services if they do not wish to deliver those services.

HIGH TECHNOLOGY DEVELOPMENT

Mr. Runciman: My question is for the Minister of Industry, Trade and Technology. I would like to ask the minister about a loan of \$900,000 that was made by the Ontario Development Corp. to Documented Circuits Inc. of Kingston. The loan was made with the intention of helping high-technology development in the Kingston area and was backed by an agreement that stipulated the company's assets could not be moved without the ODC's approval. However, in June, Documented Circuits shipped its newly developed computer to its parent company's headquarters in California. As this clearly violated the agreement, what action has the minister taken to recover the \$900,000 and the technology that was developed with taxpayers' money?

Hon. Mr. O'Neil: I am aware of the case the member talks about, the circumstances that have happened and the transfer of that high-technology piece of equipment to the United States. Our ministry is working very closely with the company and the individuals concerned. We hope the company will be restructured through additional assistance from the Eastern Ontario Development Corp.

Mr. Runciman: That is a nothing answer. The fact is that the computer was developed with money from the Ontario Development Corp. As a result, it belongs to the people of Ontario. As I understand it, the company has served the government an ultimatum that would see the technology remain out of the country. Regardless

of whether we get repayment of the \$900,000, it is still unacceptable that technology developed with taxpayers' money is allowed to be pirated to the United States. Is the minister content with this type of blackmail or is he going to take legal action to ensure that the technology is returned to Kingston where it belongs?

Hon. Mr. O'Neil: We are taking steps and negotiating with the parties concerned. Hopefully, that will be returned to the Kingston area and the company will again be viable and able to hire people in the area.

Mr. Runciman: Hopefully is a favourite word of this minister.

This is not the only instance where we have seen a transfer of technology to the United States. Recently, Mitel announced it would be laying off more than 300 workers in Renfrew and transferring production to the United States. As well, the government has in recent weeks written off a \$5-million loan to Graham Software and has seen its \$17.5-million planned investment in Exploracom questioned. There are some other matters that we will not get into. In the light of these blunders, will the minister now admit that the government has completely failed to turn Ontario into a high-tech paradise, as promised in the April throne speech?

Hon. Mr. O'Neil: I do not believe that at any time in the history of this province have we seen such advances, not only in manufacturing but also in technology. The introduction of the Premier's council is doing great things for Ontario, and I hope Kingston and area will share in that prosperity.

AUTOMOBILE INSURANCE

Mr. Rae: I have a question for the Minister of Financial Institutions about the insurance ripoff. Following the questions I asked him yesterday, the minister has still not provided the House with an explanation of why brokers are still treating all young people as if they were high-risk drivers. Is it the position of the Ministry of Financial Institutions that all people under 25 are high-risk drivers?

Hon. Mr. Kwinter: The leader of the third party knows the insurance industry categorizes risks in sections. It is a fact of life that in the industry all single male drivers under 25 have the highest rating. I am not saying I agree with it, but that is the case. I am sure the member knows what we have done. It was challenged before a judge and the judge ruled in favour of the young man who challenged it. It is under appeal, but in the meantime, I have asked the industry to

prepare an actuarial base so we can do away with classification based on age, sex and marital status and instead use a classification whereby it would be done on driving experience and traffic or accident record.

Mr. Rae: The minister has not understood the problem. The problem is not simply one of discrimination against all people under the age of 25. That is one problem, and we discussed it yesterday. Today I want to ask the minister to deal with another problem, and that is the fact that even within that category of drivers between the ages of 16 and 25, brokers are continuing to refer those drivers, but not to a higher rate—not simply to requiring a payment of \$2,000 or \$2,200. They are relegating all of them as a category to the high-risk group, to the Facility Association rate, to the maximum rate that is supposed to be only for hard-to-insure cases.

14:20

Is it the position of the Ministry of Financial Institutions that all young people should be treated as being hard to insure?

Hon. Mr. Kwinter: That is not our position.

Mr. Martel: Then put a stop to it.

Hon. Mr. Kwinter: The Facility Association is not at fault for the situation we have now. The Facility Association is there, because we have compulsory insurance in Ontario, to help people get insurance.

I understand what the member is saying. It is true some companies are referring their hard-risk young drivers to the Facility Association.

Mr. Rae: All young drivers.

Hon. Mr. Kwinter: That is not true. It is not all young drivers. They are referring a lot of them there. There is no question about that, but that is happening because the brokers do not want to send them to their competitors. I am not saying that is right. It is something I have addressed to the Facility Association to see whether we can rectify it.

Mr. Rae: The minister has fallen into his own trap. Four months ago, he said this was a problem. Four months ago, he said he was going to talk to the industry. I have the clippings here from the *Globe and Mail*. He said he would talk to the industry clearly and deal with this situation because something had to be done about it. He was going to be meeting with the insurance representatives by mid-August or late August. He was going to ask for action to stop the increasing numbers of people being forced to seek Facility coverage.

That was months ago. A random survey, conducted by a member of our research staff, produced two brokers who would not deal with anybody under age 25 at all, and another nine who said their policy as a matter of rule, as a matter of course, was to require all younger drivers to pay the Facility Association rate. How can the minister explain that survey? He is faced with a problem he is not dealing with.

When will he deal with the fact that all young people are being labelled high-risk and are being treated as people to be insured only as a matter of last resort? It is grossly unfair, and he knows it. Why does he not do something about it?

Hon. Mr. Kwinter: The member is correct. In August I did meet with the Facility Association. There were rumours to the effect that the Facility Association was at fault, but he has to understand that all it does is receive the applications. The problem rests with the insurance brokers. I have met with their association and we have identified the problem. They are working on the problem and we are trying to resolve it.

NURSING HOMES

Mr. Rae: My second question is to the Minister of Health. The minister will be aware, having suppressed the information in its report for six months, that the Crittenden committee has been disbanded. He will be aware it made one report to the minister in March 1986. He did not choose to release that information until September 1986. He is shaking his head. He cannot deny it. That information was not made public until September.

Since the committee has been disbanded, can the minister tell us where people in nursing homes who have complaints not covered by the Nursing Homes Act go with their complaints? Where do they go when they have concerns about the quality of life and not simply about specific infractions of the regulations?

Hon. Mr. Elston: The complaints can still go to residents' councils, which are active in a number of the nursing homes. Complaints can still be made to us directly as the ministry in charge of quality of care. There are ample opportunities for those items of complaint to come forward to us. Some of the information about complaints and quality of service and care comes to each of us as members of the Legislature as well. There are a number of areas in which those complaints can be made.

To be frank about it, I am looking at ways of providing other opportunities for access for

complaint-lodging and for strengthening certain roles of the residents' councils to accommodate better action on concerns about quality of care in nursing homes.

Mr. Rae: As I understand it, the answer is that having disbanded the Crittenden committee, which was the only non-nursing home act method of complaint, the minister has set up no alternatives to that whatsoever. There are now in existence in the Ministry of Health no official avenues through which a complaint can be resolved and dealt with; that is what he is admitting.

I have two files here: one on extended care at Oakridge Villa and one on the Country Place Nursing Home. They are both thick with correspondence going back several years. I could do the same for a number of homes across the province.

Specifically, what is the minister going to do to ensure that these complaints, these concerns, receive an independent assessment by an independent group of people who have the interests of the residents at heart, who are not tied to the Ministry of Health and who can fight for these residents to make sure they get justice while living in our institutions in Ontario?

Hon. Mr. Elston: The honourable member knows that a number of those complaints can be made by any number of people who are independent of the home, if he wishes it in that particular manner. If he wishes them to be independent of the Ministry of Health as well, there are support and family people who are involved with residents. The complaints can be made directly to me as minister. They can make them to a number of groups that have been formed to provide avenues of expression of concern as well, and those avenues are still open.

I am looking at strengthening the quality of care in nursing homes. That is no surprise to anyone here. I expect we will be able to enhance the manner in which quality care is delivered in our nursing homes through the implementation of several amendments to nursing home acts which will be coming forward.

I am sure the critic for the third party has provided some of the information to the member as well about the amendments he has seen. I hope that we have the support of all members of the House to help us to improve the opportunities for quality of care enhancement in our nursing home system.

Mr. Rae: Just to clarify what the minister has said—I do not want any misinterpretation—first, there is no bill of rights for residents in the

amendments he presented to us; second, there is now no way for residents to complain about the quality of life. That is now the position of the Minister of Health. There is no bill of rights and no avenue of redress for those with complaints that go beyond the Nursing Homes Act.

I know the minister has seen, as has the Attorney General (Mr. Scott), the recommendations of the Concerned Friends of Ontario Citizens in Care Facilities with respect to the establishment of a plan called Advocacy Ontario. The plan would deal with the needs of all those vulnerable people who are in institutions in Ontario, who do not have an official place to go and who do not have a means of getting their complaints heard and addressed.

Can the minister tell us the position of the Ministry of Health with respect to Advocacy Ontario? After 42 years of misrule, when he has a chance to do something to clean up these institutions, why has the minister been dragging his feet and doing nothing to deal with these problems when the needs are so great?

Hon. Mr. Elston: As is the usual way with the member who represents the third party as leader, he totally misconstrues what is happening in the industry and refuses to recognize that we have increased the opportunity of providing more programs for seniors in our institutions. He fails totally to acknowledge that there are options for us to follow outside of nursing homes to provide quality service for the people of Ontario.

He knows my friend and colleague the minister responsible for senior citizens' affairs, the member for London North (Mr. Van Horne) is developing programs that will help us provide choices to people so that they will not necessarily have to be in institutions.

As a group, we are very actively looking at new programs that will help us provide better service for the people of Ontario. In fact, when there are concerns expressed, we go out of our way to consult and take the message to the people of the province so that they can tell us how we can increase the opportunities of people to be provided with better quality service, whether they are in institutions or outside institutions.

The member is not aware of all the developments with respect to our amendments in the Nursing Homes Act. We will proceed to increase the quality of care for our seniors in this province whether he acknowledges it or not.

TARIFFS ON SOFTWOOD LUMBER

Mr. Hennessy: I have a question for the Minister of Industry, Trade and Technology.

Late yesterday afternoon I learned that Great Lakes Forest Products was closing its stud mill at a cost of 60 jobs in my community of Thunder Bay. This is a result of the minister's failure to protect Ontario's interests in the duty case for softwood lumber. What measures is the minister taking in Washington to fight for jobs in Thunder Bay, and what is he going to do to help the laid-off workers in Thunder Bay?

Hon. Mr. O'Neil: I appreciate the question from the member and his concern for that area. We also have concern for those jobs. It is not a permanent closure, but a temporary closure while they assess what is happening. However, we hate to see those jobs lost, even temporarily.

As I mentioned yesterday, we are continuing to fight this case. We have visited Ottawa, and we have had many meetings with the other provinces, the federal government and the industry. We will be meeting next Tuesday with the federal trade minister to discuss the same topic.

Mr. Pope: Four weeks ago, this minister and this government put some distance between themselves and the federal government and the national position it was advancing in Washington. Now the minister is saying he is back in the national fold and will not fight as a member of the Ontario government for Ontario interests or Ontario jobs. Why does he refuse to go down to Washington, file an intervention, get into the hearing on December 1 and protect Ontario jobs? Why is he sitting on the sidelines while the forest products industry of northern Ontario goes to hell in a handbasket? Why does he not stand up and fight?

Hon. Mr. O'Neil: That was basically the question the member asked yesterday, and the answer is similar to the answer I gave yesterday. We have been continuing to fight, we have been in Washington and we will continue to fight our position with the federal government and with the rest of the people.

Interjections.

Mr. Speaker: Order. The member for Oakwood would like to ask a question.

RENTAL HOUSING PROTECTION LEGISLATION

Mr. Grande: My question is to the Minister of Housing. On August 5, 1986, the minister assured the Claxton Boulevard Tenants' Association that its buildings "are not exempt from the act," meaning Bill 11. However, on September 22, 1986, Gillian Burton, a solicitor for the

Ministry of Municipal Affairs, in concurrence with Susan Taylor, co-ordinator of the rental housing protection legislation, told the tenants and the city of York, "It is our view that these buildings are free of the act at the present."

Can the minister tell us what the tenants and the municipality are to believe, the words of the minister and his commitment or the decision his bureaucrats have made?

Hon. Mr. Curling: If the honourable member will send the specific case over to me, I will be able to assess it. He is asking what the tenants are to believe. We have an act here to protect the tenants. Bill 11 is there to protect tenants from being thrown out of their residences because of excessive renovation that displaces them and by other means. If the member will send the case over to me, I will address that situation.

Mr. Grande: I thank the minister for telling me to send over the case and he will look at it, but he should know that on October 9 in cabinet he changed the regulations, which effectively take tenants' homes away from them. When confronted with the first real test to Bill 11, he ran to cabinet and changed the rules of the game. How can any tenant in this province believe the minister is interested in protecting affordable housing when his actions place him squarely in the back pockets of the landlords?

Hon. Mr. Curling: Bill 11 is there to protect the tenants. When the member says I changed the rules in cabinet, he knows we run a very democratic government here and any change that comes about will be properly discussed, debated and voted on.

PAY EQUITY LEGISLATION

Mr. Andrewes: My question is to the minister responsible for women's issues. Given the minister's interest in pay equity, I want to provide him, by way of a question, with an opportunity to give us a timely and positive response. There currently exists a pay gap of 70 cents between the fees charged by physiotherapists to the Ontario health insurance plan, under what is known as the G code, and those fees charged by doctors. I wonder whether the minister responsible for women's issues wishes to correct that disparity.

Hon. Mr. Scott: The question is no doubt timely and a matter of concern to the honourable member and all of us. As he is aware, Bill 105 is in committee. Bill 105 is not my responsibility. It deals with the pay of the Ontario public service. If these people are Ontario public service employees, they will be covered by the bill.

Mr. Harris: Answer the question.

Hon. Mr. Scott: I am just coming to it. If they are not public service employees, any rights they have will be under the private sector and broader public sector bill, which will be presented to the House in due course.

Mr. Andrewes: I thank the minister for the lecture. I remind him that a bill is not required to correct this disparity. This profession is primarily made up of the female gender; it is a profession dominated by women. It is not compensated on the same basis as the medical profession. This is a clear case of discrimination. Why does the minister not want to sit down with the Minister of Health (Mr. Elston) today and correct this discrepancy?

Hon. Mr. Scott: What I have said to the member remains the case. If there is a gender discrimination problem of the type he describes—and I accept his word for it—and if it is a broader public sector or private sector discrimination case, it will be remedied when that legislation is introduced. My concern is with pay equity. If the member has any concerns about compensation payable under health schemes, that question should be directed to another minister.

WOMEN EMPLOYEES

Ms. Gigantes: My question is to the minister responsible for women's issues. Yesterday I raised the case of Nancy Bailey, a qualified carpenter who has been made a bus sweeper by the Toronto Transit Commission after a year and a half of working as a carpenter for the TTC. The minister suggested she should take her problem to the union. He said, "She will have to understand that the terms of the working conditions are effected by the collective agreement that has been negotiated by the trade union acting on her behalf." In essence, he said it was the union's fault and she should go to the union.

How can the minister take that position, knowing full well the union does not have the same kind of power as management does to determine how such an employee is treated? How can he blame the union in this situation?

Hon. Mr. Scott: The honourable member is very anxious to have me blame somebody. I do not blame anybody. The reality, on the basis of the facts given to me yesterday, is that if Ms. Bailey is an employee found within the collective bargaining unit for which the collective bargaining agency has made a collective agreement, her terms of employment, apart from any rights she may have in statute, are provided for in the collective agreement. The member knows that.

She may not like it, but that has been the law of the province for 25 years.

Ms. Gigantes: When is the minister going to change the law of the province, which in terms of helping women has been such a wet noodle for the past 25 years? When will he meet the commitment his party made during the election of 1985 to bring in employment equity programs in the public sector and to bring in contract compliance, so there will be employment equity programs in the private sector in Ontario?

Hon. Mr. Scott: If the member wants a change in the collective bargaining law, which she seems to want, I will refer that question to my colleague the Minister of Labour (Mr. Wrye). If she is concerned about pay equity in the broader public sector or in the private sector, as I am and as I am charged to be, I remind her the bill will be presented to this house very shortly.

14:40

PAY EQUITY LEGISLATION

Mr. Harris: I would like to give the Treasurer an opportunity to redeem his party on women's issues and ask him whether he agrees with a statement by the Premier (Mr. Peterson) of November 5, as reported in the November 6 Toronto Star, that the government has the money for implementing private and public sector equal value legislation. Does the minister agree with that?

Hon. Mr. Nixon: I always agree with the Premier, and on the rare occasions when it turns out I do not agree, I change my mind.

I think he was referring to the financing needed for an expanded pay equity bill that would be envisaged by the one the Attorney General (Mr. Scott) was just referring to, which would be introduced into the House soon. The budget of the province this year and that envisaged for next year has a commitment of between \$80 million and \$90 million that is required for the funding of Bill 105. If the House passes another bill and funding is required for it before that budgetary period elapses, we will have to make additional plans.

Mr. Harris: The Treasurer is all over the map on this. The Premier says, "Yes, now," and the minister says, "No." The minister responsible for women's issues hides behind both of them and has been doing that for the past few months. I would like to ask it one more time. The Premier made it very clear. He said it was an election promise and the government has the money now. Why does the minister continue to argue against

his own Premier when he says we do not have the money and it is not budgeted for this year?

Hon. Mr. Nixon: The government has the money to pay for the costs of anything enacted by this House that is supported by a recommendation from His Honour. That is the way the system works, and I trust that is the way it will continue to work. It is democratic. It is parliamentary.

WASTE DISPOSAL

Mrs. Grier: I have a question for the Premier. I was very interested to hear the Premier tell the Conservation Council of Ontario last month that he supported a federal-provincial, industry-based fund for the cleanup of hazardous waste dumps. We all know how long federal-provincial negotiations can take. Is the Premier prepared to follow the lead of several states in the United States and establish here in Ontario, for Ontario, an industry-based cleanup fund?

Hon. Mr. Peterson: I am delighted the honourable member was there to hear that speech, and I am glad she agrees with our initiative in that regard. She will be aware that the minister has suggested a national fund to his colleagues. I am told the general idea was extremely well received by his peers across the country. Active study is under way at present to look at the matter. I understand there is a fairly high degree of commitment.

Let me respond to the specific idea of having a provincial fund. It is not a possibility one would rule out, but it is preferable to do it nationally. If one takes some of the distortions out of the competitive positions across the country, it puts everyone on an equal footing. That is our intention. Where possible, it is this government's preference to work with the other provinces and the federal government, as difficult as the federal government makes it for us from time to time. We are patient, and we are prepared to show leadership in this matter as we have shown leadership in almost every other matter the member could raise in this House.

Mrs. Grier: What the federal-provincial conference of environment ministers agreed to do was to study the feasibility of having such a fund, and that is a long way from seeing a fund. We in Ontario generate a lot of the industrial wastes in this country. We are now shipping our pathological waste to Quebec and our industrial waste to Alberta. The state of New York, in the elections last week, passed the Environmental Quality Bond Act, which allocates \$1.2 billion for the cleanup of 500 sites in New York state. Why does the Premier not think Ontario has an

equal responsibility to look after our own problems with our own funds?

Hon. Mr. Peterson: We do have a responsibility, and I remind my honourable colleague opposite that the Minister of the Environment (Mr. Bradley) is considered the leader in North America in pursuing these matters. I thank the member opposite for her gracious help when it is required for the honourable minister from time to time.

It is not a possibility we have excluded. We recognize our responsibility and we are actively attacking these matters. However, I repeat that it does create distortions, as she knows, and our preference is to work on a national basis. What did please us very much was that there was a general agreement with the principle and there is some advancement towards that cause.

I can tell my honourable friend we will not wait for ever, obviously. I can cite many other issues where this government did not wait for the federal government but provided the leadership across this country. We are prepared to do that, but we would prefer to work with our sister provinces in solving this one.

ASSOCIATION FOR THE MENTALLY RETARDED LABOUR DISPUTE

Mr. Baetz: My question is to the Minister of Community and Social Services, a fine gentleman but a tad too inclined to be a laissez-faire man. My question relates to the Ottawa and District Association for the Mentally Retarded, through which agency the minister provides essential services to approximately 400 mentally retarded in Ottawa and district.

Is the minister fully apprised of the very serious and protracted dispute going on between the professional workers and the management, which in all likelihood will end in a disruption of services? More specifically, is the minister aware of the very highly irregular, inflammatory and bizarre manner in which the executive director of that agency resigned during these negotiations and was replaced within a few days by a board member at an inflated salary of about \$70,000, all of which took place within a few days and without going through even the most elementary search and employment procedures?

Hon. Mr. Sweeney: I have been apprised of this issue on a daily basis for at least the past four weeks. Yes, I am fully aware of what is going on there. My Ottawa area staff have been in daily consultation with the board members and with the executive staff of that agency and have drawn

up contingency plans, which quite frankly we hope we will not have to use.

With respect to the resignation and replacement of the executive director, that was done by the duly constituted board of directors. The man who is now the executive director has the qualifications necessary to do the job, and there is no reason in the world for us to say they cannot hire such a person.

Mr. Baetz: In the light of the very irregular way in which this man was appointed within three days, especially during these very tense times of negotiating, is the minister going to take another step beyond being simply apprised by his Ottawa staff and take a good, close look to see what has happened there and make sure this agency is not going to end up with a serious disruption of work?

I remind the minister that this agency is his only avenue to provide these essential services to the mentally retarded. He is sitting on a time bomb. What is he going to do about it?

Hon. Mr. Sweeney: I remind the member that another strike in that general area was settled recently.

Mr. Baetz: "Yes, but the one at the Roberts-Smart Centre has not been settled"

Hon. Mr. Sweeney: No; with another association for the mentally retarded. This one is going to be settled, I hope, without a strike. We have indicated very clearly the ways in which we are prepared to assist the board of directors with the negotiations, but in the final analysis, the directors are the ones who do the negotiating; we are not prepared to do it for them.

I have been to Ottawa twice in the past month to meet with my staff to be sure that we fully understand the implications of what is happening in Ottawa and that the negotiations are proceeding in a fair and reasonable manner.

14:50

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question of the Minister of Labour, better known as the guardian—

Mr. Pope: Of the swamp.

Mr. Martel: I did not say that.

In April 1986, the employees of Epton Industries in Kitchener were notified by the company doctor they should have their blood tested for lead and cadmium. These samples were taken on June 26, 1986, by MDS Laboratories and analysed in Toronto by the ministry lab. The results were given to the company doctor and, I presume, to ministry staff in

London, since they were involved in getting the company to set the proper control program.

Since blood tests for low-level cadmium exposure are totally useless, why did the minister's medical consultant not order the proper testing which should have been done, a urine sample, since this metal is known to cause irreversible kidney damage?

Hon. Mr. Wrye: The honourable member has raised a very specific question asking for, I believe, a detailed response of the proper medical and health procedures that should have been followed. I am not familiar with the specific instance to which he refers, but he raises an important question. I will get back to him as quickly as I can, I hope by Monday.

Mr. Speaker: Supplementary.

Mr. Martel: The minister will not send it to Mr. Laskin?

Mr. Runciman: On a point of order, Mr. Speaker: We see this happen frequently with the third party. They ask a question, the minister says he will get back to them, they go ahead with a supplementary and then you allow them a supplementary at some future date.

Mr. Speaker: On that point of order, I remind all members that I did rule on a previous occasion that there should not be another one, but the members insisted there should be; that is the reason I have allowed it. The members have asked for it.

Mr. Martel: Since the company doctor requested that the analysis be done, he is assumed to be the attending physician. Can the minister tell me why, when one of the workers asked for the test results from the ministry's consultant, he was advised to ask the company doctor? He did not get his results from the company doctor but from the shift boss.

Is that not a violation of the Health Disciplines Act, under subsection 27(22) of regulation 448? Why were the results given to the workers two months after the tests were taken and not immediately, even though they were used for the tests?

Hon. Mr. Wrye: If the gentleman is asking me whether whatever followed thereafter is a violation of the Health Disciplines Act, I do not know the answer to that, but I do acknowledge that the member has raised a very serious concern. I know the facility has a rubber workers union local. We will deal with the union on that matter. If the gentleman has any additional information that may be of use in our investiga-

tion, I would like him to send it to me. We will try to get back to him with an answer on Monday.

RENTAL HOUSING

Mr. Partington: My question is to the Minister of Housing. Two of my constituents, the former Karen Lidden and Ronald Elgie, who were married on Friday, have been trying for the past six months to obtain rental accommodation for themselves and their four children of previous marriages.

After being asked whether they had any children and for the ages of those children, they have repeatedly been refused accommodation. What does the government intend to do to ensure that these types of situations are not allowed to continue, so that people with children are not considered second-class citizens in Ontario?

Hon. Mr. Curling: The honourable member brings that case to me, and I do not like hearing about these cases either. I hope we will be able to ensure every single soul in this province affordable housing. I do not like saying this because it is so bad, but we inherited a backlog of neglect of housing in the past and we have brought about a very aggressive policy in providing so far almost 1,300 nonprofit social housing units.

Mr. Stevenson: Why do you not admit you do not know what you are talking about?

Mr. Speaker: Order.

Hon. Mr. Curling: Although we have announced those units and many tractors have been digging, the units cannot be built overnight.

The member said I do not know what I am talking about. When his party was in power, it neglected housing very badly. Now they expect us to turn it around in 18 months.

Mr. Partington: If the minister would dwell on the present, we might not have these problems today. Bill 7 contains a provision which would resolve this problem. What is the minister doing to ensure that this bill is brought before the Legislature for consideration as soon as possible?

Hon. Mr. Curling: I am concerned that no discrimination is being levelled at people because they are young or because they are women and that they have access to accommodation. I am strongly supporting that direction. On top of that, we are increasing the supply of housing to provide accommodation for battered women and for ex-psychiatric patients, which the Conservatives neglected in the past.

However, I do not want to throw this back at them all the time. We are doing something very active to address those problems. We are not here

to have a replay of which one was worse. They should watch us as we move forward and address all these problems.

Mr. Martel: They are working around the clock.

Mr. Speaker: Order. New question. The member for Scarborough-Ellesmere (Mr. Warner).

Mr. Martel: They are working round the clock, seven days a week.

Mr. Warner: If I can get past the member for Sudbury East (Mr. Martel).

Mr. Speaker: Maybe the member for Sudbury East will allow the member for Scarborough-Ellesmere to ask a question.

[Applause]

Mr. Warner: You applaud, but he will clean up the swamp.

HOSPITAL FUNDING

Mr. Warner: I have a question for the Minister of Health. Can he tell me precisely when—maybe it is today—the Scarborough General Hospital will receive his cheque for \$1 million for its renal dialysis program?

Hon. Mr. Elston: I do not believe it will be today. The honourable member knows that the renal dialysis program has been referred to the Toronto District Health Council, to develop a program that will address the needs of that program on a Metro-wide basis. We look forward to the recommendations coming from that council, but I cannot tell the member there will be a cheque in the mail today.

Mr. Warner: It is necessary for me and people from the community to come and ask the Minister of Health because the district council has dithered for more than two and a half years without a response to the community. Enough is enough. This hospital needs that program. There is not a single program for renal dialysis between Toronto and Kingston, and the minister knows it. Our city of 500,000 needs that program. I want to know when the minister is going to deliver the cheque.

Hon. Mr. Elston: I will advise the member when the decision has been made. I am sure he will be happy to accompany me at that time, and I invite him to be there. I know he is bringing to my attention again something that he has written to me about, something that he has expressed a very active interest in, as have my colleagues in cabinet from the Scarborough area.

The needs of that vicinity are well known to me, but they are also needs that have to be co-ordinated around the Toronto District Health Council. I acknowledge to the gentleman that he is not alone. His colleagues from the other Scarborough ridings have been actively promoting the program, and I expect to hear some recommendations from the health council fairly soon.

GOVERNMENT CONTRACT

15:00

Mr. Pierce: My question is for the Minister of Industry, Trade and Technology. The government has decided to award a \$50,000 contract to an American-based firm for the study of phosphates in northern Ontario. Apparently, the 11 Ontario firms that submitted contract proposals did not make the grade, even though two of the four which made it to the short list were Ontario-based and were judged capable of performing the work.

Can the minister explain why the government has flown in the face of its promises and awarded a contract to an American firm, even though many competent Ontario firms submitted bids?

Hon. Mr. O'Neil: If the member would be kind enough to supply any information he has in this case, I would be pleased to have a look at it.

Mr. Pierce: I cannot understand how the government, on the one hand, can stress the importance of the economic growth and self-reliance of northern communities and, on the other hand, award a contract concerning the north to an American firm. Will the minister reaffirm his commitment to economic development and expansion in the north and assure this House that northern Ontario firms will be approached and given priority for government contracts such as this one, which has been awarded to an American company?

Hon. Mr. O'Neil: As I mentioned, I will be pleased to review the case and get back to the member on it.

WEILER REPORT

Mr. McClellan: I have a question for the Minister of Labour concerning the much put-off reforms of the Workers' Compensation Board. My question has to do with the Weiler report, the study of the future of workers' compensation, which was commissioned from Mr. Weiler at least two years ago. Can the minister confirm he has received the report from Mr. Weiler and tell us when it will be released?

Hon. Mr. Wrye: I have received a draft submission from Mr. Weiler. I have had an opportunity to speak to him and to review the implications with him. There was one issue that Mr. Weiler did not address in his report, but which I felt was important that he share his views on. We have asked him to do so and to expedite it. I believe the timetable we are looking at is to have that material at the beginning of December or before. Shortly thereafter, we should be in a position to table the report in the House and share it with honourable members.

Mr. McClellan: In the last conversation I had with the previous deputy minister, he indicated the report would be released last June. Now we are told there is a draft and that the draft is not complete. Why does the minister not release what he has, share it with us and get on with the job of redrafting the Workers' Compensation Act so that we can get rid of the meat chart and establish a compensation rating system based on compensating workers both for pain and suffering and for impairment of earning capacity?

Why does the minister not stop the delay and the procrastination and get on with the job he is paid to do?

Hon. Mr. Wrye: As June crept into July and onward, the thought of seeing what was written and releasing it certainly crossed my mind. The issue Mr. Weiler did not address is one that is important enough that it should be addressed. I will share with the critics and with the House the issue that has delayed matters. As well, a number of studies that are forming part of this additional report were not available until September.

The honourable gentleman, who is very knowledgeable in matters of workers' compensation, would agree with me that the matter of permanent partial disabilities is of critical importance in the whole reform of the workers' compensation process. I chose to have an additional short delay so that we could get a report which would be as comprehensive as possible and so that members could have laid before them all the various options that have been canvassed and which are available for us to make a decision upon. I do hope to have that report to table in the House next month.

COURTHOUSE

Mr. Pollock: I have a question for the Attorney General. I wrote the minister approximately two months ago asking him to meet with the Madoc village council over the closing of the provincial court there. Why will he not meet with these people?

Hon. Mr. Scott: I have no record of the honourable member's letter. I will look into it and try to get back to him. As he knows, I am delighted to meet with any people in his constituency at the earliest possible moment.

Mr. Pollock: We called the Attorney General's office and they acknowledged that he did have a letter. He has not put in writing what he expects from the Kiwanis Centre. It is an inconvenience for those people who have to drive from the centre of Hastings to Belleville for the provincial court. Does the Attorney General think that is fair?

Hon. Mr. Scott: As the member knows, the problem of closing courts is always perceived unfair in those communities where they exist. When courts are held in some communities only one day a week, sometimes one day every two weeks, it is not always possible, if one is to be fiscally responsible, to maintain their operation at very considerable expense.

I am quite prepared to meet with any of the member's constituents to discuss the matter. I do not recall his having written me, but if he has done so, I will look into it right away and try to get back to him.

REPORT, STANDING COMMITTEE ON THE OMBUDSMAN

Mr. Philip: I have a question of the Minister of Consumer and Commercial Relations. Now that the 13th report, part IV, of the standing committee on the Ombudsman has been passed by this Legislature, can the minister inform the House exactly when the Rembrandt home owners will be compensated?

Hon. Mr. Kwinter: I cannot give the honourable member a specific answer because one of the problems that we have is that when the Ombudsman reported, he referred to 26 particular cases. When the committee examined it, in its wisdom, it expanded it to 175. We have a situation where the Ombudsman was dealing with one group, and the committee came forward with a recommendation to have 175. We have to track down those people. We have to determine WHAT THEIR CLAIM IS AND THEN COME TO SOME resolution to solve it.

Mr. Philip: If the minister fails to implement the report, he will be the first minister who has ever failed to implement an Ombudsman's recommendation that was passed in this House.

Would the minister give us a timetable on exactly what he is doing and when these home owners will be repaid? Can he tell us why his officials have not even contacted the Ombuds-

man's office in relation to the recommendation since it was passed about a week ago?

Hon. Mr. Kwinter: The member is in error if he said I was not going to implement the report. We have every intention of implementing the report. As I am pointing out to him, we have a complication in the fact that the Ombudsman has reported on one specific number of claimants and the committee has expanded it to 175. My ministry officials have started to work immediately to quantify who and what it is that we have to respond to, and we are doing that. We will do it as quickly as we can.

MUNICIPAL ELECTIONS

Mr. Callahan: I would like to address my question to the Minister of Municipal Affairs. I understand there is a report being prepared with reference to bringing in line municipal elections with regard to the amount of spending that is allowed. Within the terms of reference of the persons who are looking into this, I wonder whether there is any consideration of using the same analogy that is used in provincial and federal elections with regard to moneys being available to allow people running for office to recoup a portion of their costs in a fashion similar to provincial and federal elections.

Hon. Mr. Grandmaître: The report is still being studied by most municipalities in the province. Until the report is back before me, it is difficult to prejudge the findings of these municipalities. It is an interesting suggestion. I must warn the member, though, this was not part of the terms of reference of the committee; however, I can ask the committee to look into it.

15:10

MOTION

COMMITTEE MEETING

Hon. Mr. Nixon moved that the standing committee on the Ombudsman be authorized to meet following routine proceedings on Tuesday, November 25, 1986.

Motion agreed to.

INTRODUCTION OF BILL

546672 ONTARIO LIMITED ACT

Mr. Cousens moved first reading of Bill Pr55, An Act to revive 546672 Ontario Ltd.

Motion agreed to.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES AND RESPONSE TO PETITION

Hon. Mr. Nixon: Before the orders of the day, I wish to table the answers to questions 341,

382, 389, 390, 391, 392, 399 and 400, the interim answers to questions 380, 387, 395, 407, 411 and 412, and the response to a petition presented to the House, sessional paper 177 [see Hansard for Monday, November 17, 1986].

ORDERS OF THE DAY

LOAN AND TRUST CORPORATIONS ACT

LOI DE 1986 SUR LES COMPAGNIES DE PRÊT ET DE FIDUCIE

Hon. Mr. Kwinter moved second reading of Bill 116, An Act to revise the Loan and Trust Corporations Act.

L'hon. M. Kwinter propose la deuxième lecture du projet de loi 116, Loi portant révision de la Loi sur les compagnies de prêt et de fiducie.

Mr. Speaker: Does the minister have any opening comments?

L'hon. M. Grandmaître: En français, en français.

Hon. Mr. Kwinter: Mr. Speaker, en anglais, this legislation follows the direction of the widely circulated white paper on loan and trust corporations legislation and administration. It reflects the recommendations contained in the ensuing report on the white paper produced by the standing committee on administration of justice. It also adopts many of the recommendations of the Ontario Task Force on Financial Institutions. In its final report, the task force indicated this legislation is desirable and is generally supported by the industry and the public.

We have also had the benefit of public input following the release of a consultation draft of the Loan and Trust Corporations Act, a draft substantially similar to the current bill. Part of the consultation on this draft included many meetings with my counterparts in other jurisdictions in Canada and frequent and frank discussions among regulators across Canada.

I note that many of the principles in Bill 116 have also influenced the thinking of others interested in financial institutions policy. In the report of the Honourable Mr. Justice Willard Estey on the collapse of the Canadian Commercial Bank and the Northland Bank, his recommendation for new duty of care for directors is almost identical to what is in Bill 116. As well, his recommendations to limit investment in any one party and to prevent loans to nonemployed directors follow the existing provisions of Bill 116. Similarly, Bill 116 has influenced the development of New Brunswick's green paper on loan and trust companies, released for consultation this summer.

Notwithstanding the extensive consultation that has taken place, every bill can be improved, particularly when members have a full opportunity for discussion. For this reason, I am recommending that the Loan and Trust Corporations Act, 1986, be referred to a standing committee of the Legislature for clause-by-clause review. In making this recommendation, I would like to emphasize that my ministry is open to suggestions for improvement.

I believe members will find this a most interesting, albeit complex bill. This legislation has been designed for the continued maintenance of public confidence in the loan and trust industry and for the protection of the depositors. At the same time, it recognizes the importance of updating legislation to provide for increased investment latitude for loan and trust corporations and to modernize rules of corporate governance.

We have introduced strong provisions to limit potential abuses in the areas of self-dealing and conflict-of-interest transactions. The bill emphasizes the importance of managerial responsibility and the need for strong and active boards of directors. We are looking for a good balance between depositor needs and legitimate business aspirations. The contributions of members to this formulation will be vital.

Mr. Ashe: As we are all aware, Bill 116 is a substantial piece of legislation; it is very technical in nature, and yet it goes to the heart of the financial system in Ontario, at least that portion of it that is governed by provincial legislation.

I am glad to see the minister has acknowledged, after discussions we have had with his House leader, that this bill needs some reference to a standing committee of the Legislature for further input and, we hope, refinement. Although we all agree with the thrust of this legislation in that it gives further protection to depositors as well as to shareholders for internal dealings and that kind of thing, which is in the right direction, I was also glad to hear the minister acknowledge that there are some deficiencies, which we hope can be cured over time with input from the members of this House as well as the general public.

We are in full support of sending the bill to committee. I even go so far as to say we suggested it should go to a standing committee, and I am glad to see the minister has taken our suggestions and put them into his statement on second reading today.

There are many areas of the bill. I will not go into the technical aspects section by section; the

right venue for that is the standing committee and the clause-by-clause discussions. However, a couple of areas require some reference on second reading. One is the considerable difference of opinion on the optimum number of outside directors who should make up the board of directors of a financial institution governed by the provincial legislation.

Bill 116, as we know, suggests at least one third of the directors should be outside directors. At the other extreme, there are those who feel at least two thirds should be outside directors. Probably somewhere in between, in my view, is the right number. Maybe it should be a majority, for example, depending on the size of the board. On a 15-person board, at least eight would have to be outside directors, and seven could be internal directors. This would meet the concerns of those who say two thirds is the optimum number, this would still be satisfied.

Many members feel very strongly that the audit committee of the board of directors should all be outside directors. There is some substance to that recommendation. Perhaps that should be examined in a little more detail.

I notice in the minister's remarks today he said part of the consultation on this draft included many meetings with his counterparts in other jurisdictions in Canada, and I am sure that has taken place, and frequent and frank discussions among regulators across Canada. I have found in discussions with some people in the federal administration that it appears the minister has had little or no discussion with the federal regulators and/or he has not listened to those discussions. Only the minister can answer which it was.

15:20

Let me touch on a couple of areas of grave concern. I am not subscribing to the idea that the federal government should write our legislation. I want to dissociate myself from that notion completely. This is a provincial jurisdiction, and legislation ultimately should be finalized by this Legislature. That is number one.

Having said that, I think everybody will agree that if we have legislation that works together and is complementary with federal legislation, it is easier for everyone; it is easier for the federal jurisdiction and, I hope, for the provincial legislators and the administrators and overseers of any provincial legislation. It appears this has been somewhat lacking, even when we talk about the timing. It appears new federal legislation is imminent. I say it will be new, but we do not yet know whether it will be significantly newer than what we saw before. The pause created by

sending this to a standing committee will be helpful in that regard.

I have had indications from the federal authorities that they are very concerned about some of the latitude that is given to the trust company industry in this legislation. I personally think the growth of the trust company industry in Canada, and not just in Ontario, has been very helpful to the consumers. It has smartened up the banks in a competitive nature over the past number of years. That has been very healthy for consumers; they have been able to shop much more for services. The banks have had to expand their accessibility in terms of hours of dealing with the public. That has come about only because the trust companies have been very aggressive in looking for business and have made the banks smarten up.

When the trust companies are quite rightly looking to broaden their horizons and the activities they can get into, such as the commercial business they can go after, it is felt by some, including some federal people, that Bill 116 possibly allows a little too much latitude.

One might say: "Let the chips fall where they may. That is the marketplace." Nobody feels more strongly than I that market forces should say what happens, but I am concerned when I hear the federal government say—we heard this directly in the standing committee on finance and economic affairs as recently as the past week or so—it is concerned about the latitude the trust company industry might perceive in the context of the commercial business it could go after and the Canada Deposit Insurance Corp. might withdraw insurance because of the lack of security on the investment situations a trust company was allowed to go into.

I believe the minister will agree with me when I say there is no doubt in my mind that most depositors, including senior citizens who may have a reasonable amount of money to deposit in one or more institutions, feel when they go to a recognized trust company, as when they go to a recognized bank, that they are covered by insurance up to \$60,000 under the current rules. I say "most" because I am sure a small minority is ultra-sophisticated and looks into all the aspects of insurance or lack thereof and size and regulation.

When I hear federal authorities say, "We are so concerned about the commercial loans a trust company might be allowed"—I use the word "might"—"under Bill 116 that we may withdraw CDIC insurance coverage," the minister and I have to be concerned on behalf of our taxpayers,

ratepayers and constituents. That is another reason we have to look at this in much more detail and hear much more input at the level of a standing committee.

There are obviously concerns by the banking industry. I know the minister has heard them expressed. I am sure we have all had the same briefs. Banks are always concerned from the competitive point of view, and I have no problem with that; as I indicated before, competition by trust companies has been good for the banks and for the consumers. However, when banks are concerned about their mortgage loan subsidiaries, which would have great difficulties under the wording of this act, we have to have some concerns. We all know that some of the subsidiaries of the major banks in the mortgage loan business deal on a day-to-day basis with tens of thousands of our constituents throughout Ontario. We have to listen to their concerns.

There has been general agreement to limit the debate on second reading, now that there is concurrence from the government to send the bill to standing committee and hear input not only from members of the Legislature but also from those affected. As a result, I am going to limit my remarks and leave them as they are now. I hope I have pointed out a couple of the major concerns.

Whichever standing committee this is directed to should probably hear representations from one or two of the larger trust companies and from the trust companies as a body, whatever their organization may be. The committee should hear representations from the loan company industry. Obviously, it should also hear representations from one or more of the major banks and from the Canadian Bankers' Association, which has some concerns, particularly having to do with the mortgage company subsidiaries.

Last but not least, the committee should be privy to some of the concerns I have heard from the federal government, not on the basis of the federal government dictating what our provincial laws should be but in the way of constructively saying: "Hey, this is what we are doing. This is our area of jurisdiction; this is yours. Let us complement each other and make both our jobs easier." Surely our role is to try to make it easier for the consumers, whether individual or corporate consumers, to do loan-trust-banking business in the broadest sense, in the easiest way possible.

I am looking forward to those deliberations in the standing committee. I am pleased to hear the minister, who I presume is speaking on behalf of the ministry he heads, is open to making Bill 116

even better. The bill is overdue but is a step in the right direction.

Hon. Mr. Kwinter: I want to make a brief comment to the member for Durham West (Mr. Ashe) concerning consultation with the federal government.

This bill was not even initiated during my term. It was initiated when the Conservative government was in power, and in 1984 even the discussion papers were discussed with federal counterparts. In meetings I have had on a ministerial level across the country and with our federal counterparts, I have kept them apprised of what we are doing. They have seen our draft bills. They have seen our papers and heard our discussions. I have met fairly recently with my federal counterparts and told them what we are doing. We have attempted to do that.

I welcome the member's comments and am in agreement that when we go to committee any of his concerns should be addressed. Anyone who wants to address them can do so. If it makes sense and is going to improve the bill, I have no problem with it.

Mr. Ashe: I appreciate the minister's response and his input. I acknowledge the background of this bill, which pre-dates June 1985. As a matter of fact, the minister made reference to 1984 and some of the problems we are all aware of in the loan and trust business at that time and before. The one thing I want to point out is that 1984 and 1986 are different. We have had some unfortunate situations in the Canadian banking industry during that interval that have caused some changes of directions or need in the minds of the federal authorities.

I am sure we all thought, as they all thought and as the banks always said in Canada: "Hey, we have never had a failure here. We can't have any problems." We know that is not so any more. We have to recognize that and work together to come up with complementary legislation that will make their task easier and make their task and our task easier. Let us not kid ourselves, whether we are talking about a federally controlled jurisdiction or a provincial one it is serving the same constituents throughout Canada and Ontario.

15:30

Mr. Breaugh: It should come as no surprise that a bill such as this on loan and trust corporations, which was born in the Tory regime and was brought through by the Liberal regime, is not going to meet with a lot of pleasure in these quarters, and this one will not either.

It has generally been agreed that this bill will be better handled in committee, so we are expecting a brief debate today. However, I want to note there are other perspectives that ought to be considered when we look at this kind of legislation. In a sense, there is a kind of natural flow from the Tories to the Liberals. I will bet that not a great many changes were made in the bill from one administration to the other before its presentation today. I am sure the government thinks it is a good bill and I am sure that, from its perspective, it addresses at least some of its concerns.

Let me tell members why we have some problems with it. Some years ago, meetings were held in this very building where the unthinkable was spoken: that financial institutions in Ontario were in difficulty. There were even references to the idea that there was pretty close to wrongdoing in some of our financial institutions. This is something that was unique in Ontario's history. We are unaccustomed, as a group of folks, to have ministers of the crown even infer politely that something a financial institution might do might be morally not quite as correct as it ought to be, let alone crooked and worthy of investigation by the courts. However, there were some interesting meetings in this building, at which slight allegations were made that there were improprieties.

Then, of course, a subsequent turn of events seemed to bear out that there certainly were some questionable things happening there and, particularly in the loan and trust field, it was difficult for a New Democrat to discern whether somebody had just upset the applecart. In other words, was somebody in a lending institution really upset that he might have to offer services to consumers for a change? Was that the problem? Was the difficulty the interesting concept that in Ontario's history there were new players in the financial field, and some of them were not wearing the right kind of tie? In those days the tie was not even red. Some of them wore ties that were the wrong shade of blue. Some had not even gone to the right schools. Some did not even belong to the right social organization. These upstarts were into the whole field of financial institutions, and it was thought by many that this was not correct.

From our point of view, we frankly did not care whether they even wore a tie. We were concerned that we had gone through a series of events where people on the street—perhaps it is true—had a different perspective on this whole field from that of members of the Liberal Party

and the Tories. For many of the people I represent, if they see something that looks like a bank, they think it is a bank. In Ontario's history, much had been done to make sure this impression was left with the public.

In the history of this province, though there are fine distinctions to be drawn between banking institutions and loan and trust companies—and there are some people who actually know what those distinctions are—from the public's point of view, they had been led to believe, as the member for Durham West just said, that no financial institution in the history of this country could falter, could not fall, and if one put money into a lending institution of any kind in this country, it was assured. We were told repeatedly that this was not the United States of America, this was something different. A bank, a lending institution, a loan or trust company could not fail in Canada; governments were regulating, ever vigilant.

We know there were civil servants watching what happened here. They may have been watching over a three-martini lunch, because they missed some things here and there. We now have some of our lending institutions that have had financial difficulties. It is interesting for a New Democrat to watch the response of the federal government, for example, to banks in western Canada and to compare that to the response of the federal government to farmers in western Canada. One sees different sets of numbers come up and one sees quicker responses come up.

This legislation was born in a period when there was some turmoil. If one were to categorize it, I suppose one would say that the pin-stripes flipped a bit on some of the people who were involved in these institutions, that there was public exposure of some very private deals, that there was a clear indication that people in trusted positions in loan and trust corporations perhaps did not always break the law, but certainly used the law to their own advantage.

A great deal was said and spoken in this Legislature and before our committees about whether that was appropriate. I think the perspectives come up. There are many members here who would look at them and say, "They broke the rules of the club and therefore ought to be punished." There are those who would say, "They have not paid the proper amount of respect to the institutions and have not received sufficient training and therefore ought to be punished."

From our point of view, the sole consideration ought to be, were consumers given a situation that fulfilled all the perspectives that were built up for them? In other words, people in Ontario had faith in trust companies and loan companies, in all kinds of lending institutions. It is not unfair to say that part of that faith was because the Ontario government and the federal government had drilled into their heads that there was no risk. Of course, when the risk was exposed, people said to them, "You did not read the fine print." Consumers came back with the remarkable rebuttal: "Who ever said anything about fine print? I thought I was protected by my government at two levels to see I did not lose my lifetime investment."

I am sure many of us have cases in our files of people who did something that perhaps I do not do, that is, they put money into a trust company and invested it in that way, and did so with financial advice within the family or from the professional in the field they dealt with. They did it as their pension fund, much as many of us seek to join an outside pension fund organized by somebody else. These people were trying to operate their own pension fund and they lost it all.

It is sad to sit in your office and watch people who were never your political friends or allies and who would have argued loud and long for the great free enterprise system and the opportunity to make the best buck wherever one can come into your office, sit down and say: "I know I made all those speeches and I know I argued with you all those years, Mike, about free enterprise being a wonderful thing and how you should be able to manage your own money and make the best investment, but good God, I thought my personal family investment in this trust company was safe. I thought I would be protected by the government of Ontario."

I had to tell them: "Your friends did not protect you. Your friends did not ensure that your total family investment that would be your pension fund would be safe." They are awaiting changes such as this to see if a little more protection can be gained. I think they have learned some bitter lessons, that financial institutions are not very much about ideology and are not really about the free enterprise system, that they are about making money under any conditions any government would ever care to set for them.

Before the ink is dry on this act, people will be analysing where the loopholes might occur, where the little edge is that they can take advantage of. They will say, "How can I put

together a little deal that will allow me to do something that perhaps nobody else in the marketplace can do?" We should understand that. We should also understand that from the public's point of view, the perception is there that whatever you call a lending institution, it is a bank. You cannot shake that.

You do not see trust companies putting on the new marquees they have all around Ontario now—and they have all upgraded the outside of the buildings so they are snappy-looking places and have cash machines, green machines and every other kind of machine they can get—nowhere on the front does it say, "This is not a bank." The inference is there that whatever you call this institution, if it lends money and if people can put their money into it, it is safe. That public perception is out there.

15:40

The obligation will be on all of us to see that this bill keeps not only the perception but also that we come as close as we can to the reality that they will be safe institutions. The provisions in this act to cover things such as ownership must be reasonable, not just from the financial institutions' point of view but also from everyone's point of view. That may be why this Liberal government has no great trouble following through with legislation that was initially drafted by a previous Conservative government. There is not an eyelash of difference between them on these matters. When we get into questions of who can be a director, there is not going to be an eyelash of difference there either.

I do not think there is going to be much difference when it comes to trying to define conflict of interest. Therefore, I am going to make a plea to members to do with this bill whatever they think is necessary from their perspectives but to remain conscious in the backs of their minds that the public perception of these institutions may be a lot different from theirs.

That perception is one that has been fostered during a long period in this country by governments at many levels, so the people of this province believe that whatever is called a lending institution is as good as a bank. Therefore, the obligation is on the Legislature to accept a process whereby there may be a brief second reading debate here today, but there has to be, and there is going to be, and there always was going to be, a fairly lengthy committee process involved.

It is going to be complicated legislation. It involves a great many different perspectives. It should not be written from the perspective of the

people who will run the institutions. It will not be good legislation if, as in its present form, it is predominantly written from the perspective of those who will regulate the industry. That should not be its purpose. It should not be written for their convenience, it should not be written in language which only they understand, it should not be written from their total perspective, nor should it be written from the point of view of those who will be putting and using large amounts of money under this legislation.

Those are valid concerns that ought to be considered. In addition, I make a plea that there be another perspective well attended to in the drafting of this legislation, that of the consumer. I want to be polite today, so I do not want to use any provocative language, but I want members to be reminded that the biggest victims have been consumers in this province.

There have been many victims, some of whom have lost fortunes. Maybe this is simply a difference in perspective, but I have no sympathy for the ardent multimillionaire free enterpriser who goes into a venture such as this, flips over 1,000 or so apartment buildings and loses some money. He wins some and he loses some. I have a whole lot of sympathy for someone who takes his entire family life's savings and becomes a victim in this process.

So far in the history of this province, we have failed to provide that kind of total protection. Maybe it is not possible to do so, but one of the flaws in the legislative process has been to write the laws in ways that meet the needs of some of these people but not all of them, and it seems to me the consumer is regularly last on the list.

One can make an argument, and I suppose there is validity to it, that consumers have benefited by loan and trust corporations in Ontario. I have no quarrel with the idea that they made the banks open a little earlier and stay open a little later in the day, but I still am confounded. Every Monday morning when I come to work, I see people lining up outside a bank waiting to get in. I would not line up in the evening to see a movie, let alone in the morning to see a banker. I do not know why people deal with these institutions at all. So there is some latitude there. I suppose there is easier access.

There is now a myriad of lending devices out there, and people are beginning to become a little more conversant with what it means to get a mortgage, how many rates are available on mortgages and how many conditions there are under which one can borrow mortgages.

In general, I do not oppose the loosening up of the process, but I do have a concern that there is a lot of salesmanship involved here. There may well be people who think that because something is new and different, it is necessarily a better way to borrow money. I do not believe that to be the case, but I do know they very often take advice from people who speak a different language.

I get really worried when someone says to me: "Now, Mike, you may not understand this language, but I will explain it to you. After I explain it to you, all you have to do is sign on the dotted line, and I will do all the rest." That is a consumer in a very vulnerable position. If I am dependent on someone in a loan and trust corporation to explain something to me, I probably should not be there in the first place and I should not go there until I speak his language. When I understand what he is going to tell me, then I am on equal grounds, but if I am dependent on that person to explain all the fine points to me, I am putting myself at some risk to be there.

In general and without belabouring it, we will not support it on second reading. We do understand that this is a thick bill. This has concerns coming at it from the federal government from a number of major reports, and it will probably take some work in committee. Perhaps a miracle will occur in the committee process. The conversion from the Tory version of this bill to the Liberal version of this bill was relatively smooth and easy, and we may actually find that in committee we are able to support it when it comes back here. More likely, however, we will find that New Democrats will be there in the committee stage trying to provide a vehicle whereby ordinary people can deal with an institution in terms they understand from a perspective that is important to them.

You might find it a little uncomfortable, on occasion, because in this whole aura of financial institutions, it has tended to be the old boys' club. I know the old boys' club now has some women added to it, and some who are doing very well in that field. By and large, however, they are having trouble assimilating women into their world, as they have always had trouble assimilating anybody else into their world. Over the years, they have tended to be a very small select group of people aided, regulated and monitored by yet another small select group of people from relatively the same background.

That has always been a problem in all our financial institutions, and it has too often been the case that our consumers are the victims. All that it means for people in the lending institutions

is that they will set their corporation lawyers and accountants to work on definitions that are contained in this act and the accompanying regulations to begin to find the fine points, the loopholes and the edges that they can work.

I suppose that is the way life is. I want the members to understand that we believe there is some unfairness there. We believe we should never again have to sit in our constituency offices and listen to people say that there goes a lifetime's work of investment that was to have been their pension fund. We believe people might use these lending institutions for their own personal financial gain. That has happened a lot in Ontario, and the transactions are rather large in scale and size. That should not be allowed to happen again.

The bill attempts to be the government's response to a rash of problems in this field. We think it falls short of that measure. We think there is an opportunity to take it to committee and to work with it for a while, and we would be happy to do that. We have no intention of delaying the bill on second reading. Again, we will not support the bill. We will see what can happen in committee and we look forward to that work.

15:50

Mr. McFadden: I am rising in support of the legislation before the House today. This legislation is based upon the work of a large number of people, both within government and outside of government, who have studied the current legislation, its strengths and its deficiencies.

The member for Oshawa (Mr. Breaugh) implied that somehow there was something inherently bad and intrinsically wrong with the bill because most of the provisions have survived two governments. I believe the fact that the legislation originally worked over and drafted under the previous Conservative government has been reintroduced, somewhat amended but basically very similar in its new form as Bill 116, indicates the strength of the provisions of this bill.

In my view, this bill merits support. It will help to deal with many of the factors that have given us difficulties in recent years with the operation of trust companies in this province and elsewhere. I say "many of the problems" because one thing that is clear on the basis of evidence over the years is that you can never be 100 per cent sure a financial institution will never run into difficulties.

Until the Canadian Commercial Bank and the Northland Bank collapsed a year ago, we had always prided ourselves as Canadians on the fact

that no bank had collapsed in Canada for 60 years. In Ontario, we had had a long tradition of very successful trust companies until we ran into some difficulties with trust companies during the past several years.

I suggest a lot of the problems the companies faced were ones even government could not have resolved and involved areas such as dishonesty and bad management, which can still come up no matter what kind of regulatory framework is put into place and no matter what kind of financial institution we are talking about, be it a trust company, a bank, a credit union or any other type of financial institution.

Perhaps the most important thing we can do in the area of regulating financial institutions is to ensure the financial integrity of all the institutions under our regulation. It is my view that every depositor should be able to deposit his or her money in a trust company under the jurisdiction of Ontario and be assured that deposit is safe and secure. Small business people should be able to deposit money in a trust company and carry on business with that financial institution without having to worry that all of a sudden the money will be impounded and cheques not honoured because the trustee in bankruptcy has stepped in to take over the management of that financial institution.

I do not think anybody in this House wants to approve of a piece of legislation that would in any way undermine the financial integrity of an institution or set in train a regulatory framework that would in any way undermine the financial integrity of any of our trust or loan corporations. In my view, the various provisions of this bill adequately meet the kinds of problems we have confronted as a province during the past 10 years with the various trust companies that ran into difficulties in this province.

The member for Oshawa talked about trust companies and the fact that people have an image of them as being more secure than perhaps they are. In some ways they have become involved in a lot of gimmicks that perhaps mislead the consumers and create an image of more stability and size than exists. I am a great supporter of the trust industry and what it has done for Ontario. In fact, the trust companies have consistently been pioneers in offering additional services and new services to the consumer. There is no doubt that the hours the trust companies are open pushed the banks into staying open longer than the traditional 10 a.m. to 3 p.m.

In addition, the trust companies have provided needed competition for sources of funds over the

years, and that has had a very beneficial effect on the consumers in terms of interest rates on their accounts, in terms of interest rates for mortgages and in terms of financing available for construction loans.

I suggest that both the business consumers and the personal consumers would be far worse off today in regard to services and availability of funds if all we had in Ontario were six chartered banks and that was it. The trust companies have provided us with important services that have helped our economy and enhanced services to the consumers. That does not mean the trust companies have been perfect and we do not need some major improvements to the bill. While I have some questions about some specifics in this bill and some ways it can be strengthened, I think the thrust of this legislation is correct.

One area that needs a further look is the provision for outside directors. For six weeks the standing committee on finance and economic affairs had detailed hearings with people from the trust company industry and from the banking industry. We also had submissions from Parliament. In addition, we received submissions from interested third parties not directly involved in either the banks or the trust companies; they included such very knowledgeable and distinguished people as Dr. Stefan Dupré, a professor at the University of Toronto, who carried out a major study of financial institutions in Ontario a couple of years ago.

One of the things that came out very clearly in our hearings was the need for more outside directors. It seems to me that having only one third of the board being outside directors is inadequate. I hope the committee considering this bill will look seriously at expanding the percentage of outside directors from one third to one half or more. It strengthens a financial institution to have the involvement of knowledgeable people from outside the financial institution. It also helps greatly to ensure that the trust company acts in a proper way in conformity with the public interest.

I do not know the ideal number. Some trust companies have a situation where existing management and shareholders do not even have 10 per cent of the board. Perhaps 10 per cent is too extreme, but I suggest one third is too small a percentage of outside directors.

By involving more outside directors, we would have the added benefit of being able to involve in financial institutions more people from the community. I hope financial institutions will avail themselves of more than just the people

we normally see on boards, representatives of large corporate enterprises. It would strengthen loan and trust corporations if they had on their boards a broader cross-section of small-business people and perhaps people from the academic community and from community organizations. There is a lot of room for using boards to represent more broadly the community interest and the consumer interest.

16:00

I would also like to raise the protection of depositors' interests. We have the Canada Deposit Insurance Corp., which is there to insure deposits. However, one of the points that was raised during the course of the hearings of the standing committee was the potential role that directors have in representing the interests of depositors. Under existing corporate law, directors are deemed to be on the board essentially to represent the interests of the shareholders. That is clearly understood under corporate law and would not be changed effectively under this legislation.

We should consider whether to expand the responsibility of directors to include taking into account the interests of depositors. Some witnesses who appeared before the standing committee suggested a certain number of directors on the board should be appointed very specifically to represent the interests of depositors. I am not sure that is a particularly useful development, since it implies that one, two or three directors, or however many you would have, would sit there and look after only one interest. It seems to me that what we want is a knowledgeable group of directors who are all looking after depositors' interests, not just one or two people who may be specifically designated for that role.

Financial institutions are unique in the sense that they are not investing just the equity of the shareholders. It is completely understandable in a manufacturing company, for example, that the directors would represent the shareholders, the owners. It is not reasonable to expect that directors would be representing the interests of the purchasers of the goods, because companies are not using the customers' money in the development of their manufacturing enterprise. However, in a financial institution it is a very different relationship, since financial institutions are effectively taking depositors' money, adding it to their equity and using multiples, and going out and investing that money in mortgages, in business loans, in consumer loans or in whatever other areas lending can take place. In effect, the financial institutions' balance sheets show assets

to include all assets, be they shareholders' equity or deposits.

In view of this, and in the light of the fact that financial institutions are effectively using depositors' money in the same way as people traditionally use equity, there should be some obligation on the part of directors in a very specific way in the legislation to be cognizant of the rights of depositors and of the need to protect the depositors' interests in the same way as they are there to protect shareholders' interests.

One of the concerns we should consider, although I do not think it is a major problem today, is competition within the financial services area. One witness after another before the standing committee on finance and economic affairs indicated we probably have more competition for financial services today than we have ever had, when you put together the services offered by banks, trust companies, credit unions, investment dealers and all the other groups that are there and available to provide financial services.

The potential problem this bill could create, which should be monitored, is whether the entrance requirements in terms of minimum capital may be too high to permit the development of regional trust companies. Obviously, we want to have adequate minimum capital requirements to ensure not only the financial strength of the institution going in but also that the people involved in these institutions are people of substance.

We have to be worried, however, that we do not set a going-in standard of capitalization so high that no group in Peterborough, Thunder Bay, Sudbury, Kitchener or Tillsonburg would have a hope of putting together the necessary money to create a trust company that might respond to the local needs of an area of the province.

While I think there is a good, competitive situation out there, I hope that as we look at this bill and as the years pass, the ministry will be very careful to monitor the competitive environment to be sure the provisions in this bill do not needlessly bar entry into the trust company field to the detriment of financial services in various regions of the province.

My colleague the member for Durham West (Mr. Ashe) commented on the need for uniformity of legislation across Canada. Recent experience with trust companies indicates there is a vital need for harmonization not only of legislation but also of regulatory approach throughout

this country. There are various examples in law where that has been achieved.

For example, corporate law has been harmonized very substantially across the country to the point where incorporation requirements are very similar. Personal property security legislation has been harmonized substantially across the country to the benefit of the business community and the consumers throughout the country. I suggest this is another area where harmonization should be achieved.

In recent years, the lack of harmonization between provinces has created problems. It has been very easy for companies to incorporate in certain provinces that have very lax regulations and then use that as their base to head into other provinces that have far stronger entry requirements and regulations. I hope that kind of anomaly can be dealt with so trust companies or loan corporations cannot come through the back door, through another province, into Ontario; or, for that matter, so a company cannot come through Ontario and move into another province in a way that is contrary to the law of that province.

One of the things that is important to the strength of our financial services sector is a sense of stability and uniformity in regulation, a sense that you can carry on business across Canada without having to worry about sudden changes from province to province and from area to area. I urge the minister to try to ensure that whatever we do in this province in terms of legislation and regulation harmonizes as far as possible with what the federal jurisdiction is doing. I hope the other provinces will see it the same way. It has been my experience that, in general, the other provinces tend to follow Ontario's lead in legislation. I hope in that way Ontario will provide a lead by ensuring that not only is our legislation first-class and a model for other provinces, but also that it is consistent with and in harmony with any federal legislation that might come down in future.

16:10

The final thing I will comment on relates to the fact that we seem to be heading into a bit of duplication in this House. The standing committee on finance and economic affairs is now involved in a study of concentration of corporate ownership in financial institutions. From about mid-September until the end of October, we had a number of days of hearings, as I mentioned earlier on, during which we had lengthy discussions with representatives from the trust industry

as well as from various other financial services industries.

The report of the standing committee is not out yet. Because of the limited amount of time that was available, it is not now expected that the report will be out until some time in mid- to late winter. The subject matter that the standing committee is investigating and that its report will deal with covers a number of matters covered by this legislation. It seems that we have a bit of a situation where the left hand does not know what the right hand is doing, or vice versa. I am a little concerned that we in this House may find that the standing committee, based on weeks and months of research, could come up with a report recommending action to be taken by the government that would be different, at least in some respects, from what is envisaged by this act.

I am not proposing that we delay this legislation because the enactment of this bill is long overdue. We should get on with consideration of the bill and bring in the new Loan and Trust Corporations Act as soon as practicable, but I bring to the minister's attention that we seem to be in a situation in the House where the committee and the government are potentially running along parallel tracks. I hope we will not collide at some point some time in the winter. I do not have an easy solution for this. I just draw it to the attention of the minister to remind him that we run the risk of having some duplication and potentially some conflict develop in the next couple of months.

In conclusion, I hope we get on with it. The trust industry badly needs new legislation and the consumer badly needs new legislation to protect his interests. I am pleased to support this bill.

Mr. McClellan: I want the opportunity to make a few brief comments about this bill. I was not intending to speak, but after the hymn of praise to the trust industry from the member for Eglinton (Mr. McFadden), I am inspired to make a few comments. I am pleased to say the New Democratic Party will be opposing the legislation. My colleague the member for Oshawa set out a number of concerns. I want to focus on one or two points.

It is important to remember why we are here dealing with a new Loan and Trust Corporations Act. This is the response of the Liberal government to two major earthquakes that have hit the loan and trust industry in recent years. The first was the failure of Re-Mor and Astra during the 1981 election campaign or during the months immediately preceding the election campaign. We all remember that very sorry spectacle of a

number of depositors, who had lost their life savings, trying in vain to bring their concerns to the attention of the then Premier, William Davis, in the middle of that campaign.

That crisis, the collapse of those companies, spoke to a massive failure of the regulatory function of the government of Ontario over the loan and trust industry. Nothing was done, even in the wake of Re-Mor and Astra, until the great Cadillac Fairview apartment-flip scandal, when once again the failure of the government of Ontario adequately to regulate the loan and trust industry was revealed with even more startling and unanticipated consequences.

We recall the *modus vivendi* of the people who acquired the 10,000 Cadillac Fairview apartment units. The largest single block of rental accommodation in Metropolitan Toronto was acquired by a couple of operators who managed to get control of a couple of trust companies and who used the assets of Seaway and Greymac trust companies to put together block by block, and lever control of, an increasingly large real estate empire. We learned subsequently that they put those institutions at risk, put the depositors of those institutions at risk of losing their life savings, betrayed the fiduciary obligations that most of us take for granted in the loan and trust industry and used the trust companies to lever control of larger and larger blocks of real estate, until the coup de grâce, the purchase of 10,000 units of rental accommodation and the subsequent flip.

Now we have gone from betrayal of fiduciary responsibility to using tenants and the homes of tenants as pawns in a financial scheme that will still result, even as we stand here debating this legislation, in the costs of this boondoggle, this flip and reflip, and now the government itself has flipped Cadillac Fairview back on to the private market. The 10,000 tenants in the units are going to be paying the cost as the units go back on the market to be flipped again. It is only a matter of time until they are flipped again. Mr. Rosenberg, the author of this scheme, now says the buildings are worth \$800 million on the market.

The government has put the buildings back on the market through the actions of its trustee, and after all of this, after Re-Mor, Astra, Seaway, Greymac, Cadillac Fairview and the nationalization pro tem of Cadillac Fairview, there is not the slightest bit of assurance in this draft legislation that the same thing will not happen next year or next month. I do not have any confidence, reading the legislation introduced here, that the same thing will not happen again.

Mr. Ashe: Cynic.

Mr. McClellan: I am not a cynic. I am speaking on the basis of the experience of the past six years. The failure of the Ministry of Consumer and Commercial Relations to regulate the industry was so complete that the minister of the day, the Honourable Mr. Elgie, in his desperation—and I am not exaggerating—was forced to turn the entire ministry over to people from the financial community on Bay Street, who came into the ministry on a temporary basis, took over the ministry, ran it, cleaned it up and then went back to their corporate towers on Bay Street.

16:20

That was the most eloquent witness to the incompetence of the government of Ontario in fulfilling its regulatory obligations with respect to the loan and trust industry. To be sure, it was the predecessor government, but it must be acknowledged that the present Premier (Mr. Peterson) made much of his reputation through his very skilful attacks on that government for its failure to regulate the loan and trust industry.

The day of reckoning is now here, and we have the legislation. We look at it and discover to our amazement and absolute bewilderment that this new government, which in opposition was most effective and vigorous on the issue of regulating the loan and trust industry, proposes to do absolutely nothing on the crucial question of ownership. It will still be possible for the kind of ownership concentration that led to Re-Mor, Astra, Seaway, Greymac and Cadillac Fairview to continue in the future.

All one has to do is get the consent of the superintendent for ownership in excess of 10 per cent. Very little appears to have been done to prevent the interlocking crossover directorships that make a mockery of my colleague's claim that his party has introduced competition into the marketplace. The competition of an interlocking directorate is the competition of a monopoly.

Even my friend the member for Eglinton understands that. If the same people own all the institutions, then all the flim-flam public relations praise in the world, such as we heard from him, is utterly meaningless nonsense, and he knows it. As a friend of the finance community and part of that world, he knows that world well and knows it is a hollow mockery when people stand up and talk about the free rein of competition in this sector.

Mr. Martel: It is like the insurance industry.

Mr. McClellan: That is right, when they all own each other's companies.

Mr. Breagh: That is meaningless twaddle.

Mr. McClellan: Somebody said it was meaningless twaddle.

Mr. Ashe: It was not somebody; it was the member for Oshawa.

Mr. McClellan: We are going to oppose the legislation. This minister in particular, as a representative of this government in particular, has an obligation to explain, not to us in the New Democratic Party, who as socialists are obviously inherently hostile to—

Mr. Ashe: The free enterprise system.

Mr. McClellan: —the kind of twaddle my friend from Eglinton was ranting and raving about.

We are at least genetically suspicious. Leaving us aside, the government has an obligation to explain to the people of Ontario how its legislation will restore their shattered confidence in the loan and trust industry. There is no point in pretending that confidence was not shattered, because it was shattered. The Premier played a major role in bringing that problem to public light.

The problem is not being solved. It does not appear to be solved with this legislation, and we will watch with interest as the minister attempts to persuade us and rationalize in the committee hearings that he is doing anything other than making some nice, quiet, cosmetic changes that leave basically nothing changed.

Mr. Speaker: Are there any comments or questions? Does any other member wish to participate in the debate? Seeing none, I ask for windup comments by the minister.

Hon. Mr. Kwinter: Mr. Speaker, I rise not to comment, because we will have an opportunity to comment in committee, but to repeat my recommendation that this be referred to a standing committee of the House. Which committee that will be is really in the hands of the members.

Mr. McClellan: I thought the agreement was to send it to the standing committee on finance and economic affairs. If that does not work, it can be redirected.

Hon. Mr. Kwinter: That is fine. Then I suggest we send it to the finance committee.

Mr. Speaker: Hon. Mr. Kwinter has moved second reading of Bill 116.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

La motion est adoptée.

Bill ordered for the standing committee on finance and economic affairs.

House in committee of the whole.

REGIONAL MUNICIPALITIES AMENDMENT ACT

Consideration of Bill 22, An Act to amend certain Acts respecting Regional Municipalities.

The Deputy Chairman: Are there any comments, questions or amendments to any sections of the bill? If so, to which sections?

Hon. Mr. Grandmaître: I have an amendment to section 11.

The Deputy Chairman: Are there any amendments before section 11?

Sections 1 to 3, inclusive, agreed to.

On section 4:

Hon. Mr. Grandmaître: I would like to speak briefly to section 4 which, as members will note, applies specifically to the regional municipality of Hamilton-Wentworth. Many of the provisions are more or less housekeeping items, but there is something a little different in subsection 4(6) on page 6 of the bill. Authority is given to the regional council to pass bylaws for licensing contractors and master tradespersons. Members will see a considerable list of contractors and tradespeople for whom licensing will be given to the regional council.

While this is not controversial, it may be helpful in some other areas. This authority is being given because the municipalities in the region have discovered a great need for uniform requirements for tradespeople, so that these people do not have to go through multiple examinations and testing and the expense of obtaining licences to operate in the different municipalities that comprise the region.

There has been a great deal of discussion between the region, on the one hand, and the municipalities, on the other, to come up with the kinds of provisions that are here, so that the regional council will be able to pass a covering bylaw to examine, license, regulate and govern these contractors doing building repairs, drain repairs, electrical work, explosives, heating, air-conditioning, plumbing and master building and master drain installers, master electricians, masters of explosives, master plumbers and master heating installers, and there are some requirements for that.

16:30

As a result, this will be beneficial to the contractor who pays people in that he will have the privilege of operating in the entire regional area on one set of licences and regulations. It will be beneficial for the municipalities in that there will be a greater opportunity for competition among the people who perform these services. It should result in more efficient administration and costs and be better for everyone concerned, not only the municipalities but also the people who live in them.

The second item that is of interest is a local one. That is subsection 4(7), beginning at the bottom of page 7 and going through several pages, most of which is a legal description of an area of the city of Hamilton. The essence of this is to allow the city to act in the place of the region in the development and sale of industrial sites in a selected part of Hamilton.

As many members will know, some of the regions were given the authority to manage, promote and sell industrial land, and Hamilton-Wentworth has been doing that quite satisfactorily. There is, however, an older section of the city of Hamilton near existing industry that is termed a residential enclave. There are four of them mentioned here, where older houses are cheek by jowl with large and sometimes very heavy industry. It has been a planning policy of the city of Hamilton for some years to try to redevelop these as industrial sites. It is necessary to have the regional act changed so it has the legal right to do this. That is what this section of the bill will do.

I appreciate the attention that is being given to this by the members, and I know it will be very beneficial to the council and to the citizens of Hamilton-Wentworth to have at long last the speedy passage of these sections that apply specifically to Hamilton-Wentworth.

Mr. Partington: Is it appropriate at this time for me to speak on the entire bill, or should I wait until after the amendments have been introduced?

The Deputy Chairman: We are doing clause-by-clause.

Mr. Breaugh: I do not mean to be objectionable in committee, but we had a full second reading debate on this bill some time ago, and I am a little reluctant to go back into that. If there are members who wish to speak to the amendment, it seems to me that would be appropriate, but I do not even know why we just went through a section of the bill where there was no amendment proposed, where everybody agrees we are for it, and we listened to it. It is going to

take us quite a while to go through this bill if we do it this way.

The Deputy Chairman: Is there any particular clause the member would like to discuss?

Mr. Partington: Not a particular clause, but I would like to make some comments about the bill in general.

Mr. Shymko: The member can mention one.

Mr. Breagh: On a point of order, Mr. Chairman: I hear the comments from the member for High Park-Swansea (Mr. Shymko) pointing out that the member should mention a section. It is a cute stunt, but a little late.

If we had not had a complete second reading debate on this bill, I would be a little looser about this, but to be fair, there are municipalities that have had this on their plates for some time. We had a full second reading debate. If the member wants to seek unanimous consent to revert to second reading, he had better be careful, because the member for Durham West (Mr. Ashe), who participated fully in that second reading, has left the chamber. He may want to come back in and shoot some more blanks too.

The Deputy Chairman: We are now on section 4. This is the one members are authorized to debate. If they wish to discuss any others, sections 5 to 12, they can do so.

Mr. Partington: That is probably what I will do.

The Deputy Chairman: Is it on section 4?

Mr. Partington: I do not believe I will be speaking on section 4.

The Deputy Chairman: That is what the member has to discuss.

Mr. Partington: I will speak on section 6.

The Deputy Chairman: You have to discuss section 4.

Mr. Partington: I did want to make some reasonable comments, but the member for Oshawa (Mr. Breagh) would like to cut off the opportunity of doing so.

The Deputy Chairman: Order, please.

Mr. Breagh: The member has had almost a year to get up his gumption to speak on the bill. If he could not do it up until now, too bad.

The Deputy Chairman: Are there any further comments, questions or amendments on section 4?

Section 4 agreed to.

Sections 5 to 10, inclusive, agreed to.

On section 11:

The Deputy Chairman: Hon. Mr. Grandmaître moves that subsections 11(3) and 11(4) of the bill be struck out and the following substituted therefor:

(3) Subsections 1(1), (2), (3) and (5) and subsections 10(1), (2), (3) and (5) come into force on December 1, 1988.

(4) Notwithstanding subsection (3), the regular elections to be held in 1988 under the Municipal Elections Act in the municipalities to which the subsections named in subsection (3) relate shall be conducted as if those subsections were in force.

Hon. Mr. Grandmaître: The purpose of this amendment is to delay the addition of extra regional councillors in Durham and York until the next regular municipal election of 1988. This will allow the necessity of having to provide for the selection of these additional councillors on an interim basis. No amendment will be necessary to the Waterloo provision, because one additional member of the Waterloo city council will simply be appointed to sit on regional council.

Mr. Breagh: It is my understanding that this proposal has the concurrence of the regions affected. They have discussed this and decided that it is the most practical way to proceed. We concur.

Hon. Mr. Grandmaître: Yes. I have a resolution and a letter from the regional chairman and council, who do agree.

Mr. Partington: We concur as well with the resolution presented by the minister, as we do with all sections of the bill.

Section 11, as amended, agreed to.

Section 12 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Grandmaître, the committee of the whole House reported one bill with a certain amendment.

16:40

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Grandmaître moved second reading of Bill 123, An Act to amend the Municipality of Metropolitan Toronto Act.

Hon. Mr. Grandmaître: I am pleased to move second reading of the Municipality of Metropolitan Toronto Amendment Act regarding surplus water revenue.

As members will recall, I had the pleasure of introducing this bill on July 9. At that time, I made a statement outlining in some detail the

purpose of the legislation, which is to permit the metropolitan corporation to use surplus revenue from the sale of water to accelerate the implementation of essential pollution control measures. In keeping with this government's policy of encouraging autonomy at the municipal level, the use of future surpluses, whether for purposes of the water system or to finance pollution control projects, will be left to the discretion of the metropolitan council.

The bill to amend the Municipality of Metropolitan Toronto Act will permit the metropolitan council to use surplus revenues from the sale of water to be used for sewage projects, as well as for its waterworks system. The bill to amend the District Municipality of Muskoka Act will permit the district council to extend money in its pollution control fund for the installation of water systems, as well as for sewage projects. These two provisions do not contradict one another.

Mr. Partington: I am pleased to join in support of this bill, which is designed to put into legal effect the announcement made by the minister in the early summer regarding plans to allow Metropolitan Toronto to use surplus revenues derived from the sale of municipal water to finance water pollution control projects.

Under the current legislation, municipalities throughout the province are permitted to use revenues derived from the sale of water only to cover expenses related to the building or upgrading of waterworks. This legislation, which applies only to Metro Toronto, will permit these funds now to be used to bolster efforts to clean up Toronto's beaches, for example.

While Metro Toronto is to be commended for putting money into pollution control, it must be remembered that in the Toronto area alone it is estimated that more than \$250 million, not just the \$30 million which is available from the water revenue surplus at this time, is required to resolve the pollution problem.

Furthermore, many areas of the province, not just Toronto, are faced with water pollution problems. As many members will be well aware, the municipalities in the riding of Brock face serious water pollution problems. Throughout the summer most, if not all, the beaches in the St. Catharines area were closed to swimming. Yet this legislation does nothing to help the Niagara region, which has been—

Mr. Breaugh: That is why it is called an Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Partington: Again, we have that very bright man, the member for Oshawa, with his

comments. We really appreciate that while I am speaking. I am sure the member will have his full opportunity to talk about the bill in due course.

Mr. McClellan: If you ever started talking about the bill, we would be fascinated.

Mr. Partington: Just stick around.

I will get back to my comments. By introducing this legislation, the provincial government has admitted that money is required to fight this pollution problem. This being the case, the government must be prepared to ensure that the required funds are available, not just the \$30 million that is in this transfer but tremendous additional funds that this government must commit to fight the pollution problem, not just in the Metro Toronto area but also in every other area of the province.

In view of the fact that the legislation is a step in the right direction, albeit a small one, I lend my support to it. Obviously, any effort to reduce water pollution can play an important role in introducing costs associated with water treatment. As such, this surplus money will, in an indirect way, be used for waterworks purposes. Keeping this in mind, I believe the legislation is a positive step in the right direction.

Mr. Breaugh: We will support Bill 123. I want to get a couple of quick comments on the record. This bill has been explained to me as a kind of one-time deal whereby the municipality of Metropolitan Toronto wants to take advantage of some provincial and federal funding that will in some small way assist in the cleanup of beaches and some other water treatment plants.

I have no great problem and no great ideological dispute with that. I want to put on the record today, though, that I will have a great ideological problem and there will be a great dispute if this is extrapolated into a system whereby the rate system is used as the funding mechanism to clean up the beaches. Our support for this bill today should not be interpreted by the ministry as anything more than support for this specific proposal. If we see it extrapolated into a proposal to clean up our beaches by using our rate system, our support will be terminated rather quickly.

Second, in my view and in the view of many in our caucus, this is a reasonable way to proceed, but this in itself is not going to clean up the Toronto beaches. This in itself is not going to do the sewer separation that is required in many parts of Metropolitan Toronto. We accept that there is an opportunity here to get some additional funding and to use some funding that the municipality of Metropolitan Toronto already

has and considers to be surplus in its own fund. That is an agreeable approach. We have no quarrel with that.

We think it will have some reasonably positive effects, but they should not be overestimated, and this concept should not be extrapolated into a long-term program whereby municipalities finance sewer separation from a rate system. As long as we understand that, I have no difficulty in offering our support to it.

Mr. McClellan: I want to speak briefly on this bill. We have close to three million people in Metropolitan Toronto, and it may come as an amazing fact to some of my Liberal friends that only 10 per cent of the people in Metro Toronto have summer cottages, 10 per cent of three million people. The other 90 per cent spend the summer here in Metropolitan Toronto. They do not go up to Muskoka or Georgian Bay, they do not have yachts and they do not have the privilege of going to private cottages. They happen to live in a city that is on one of the most beautiful lakes in the world, but for the last three years our beaches have been so polluted that our children could not swim there.

The previous government explained to us that the pollution of the Toronto beaches was caused by seagulls. The previous Minister of the Environment, the member for Sarnia (Mr. Brandt), put forward as his authoritative theory that the cause of the pollution of the Toronto beaches was sea gulls. One of the reasons that government was swept out of office was that kind of nonsense and flim-flam. However, I have to say to my colleagues in the Liberal Party that this kind of flim-flam is not a whole lot better.

16:50

We have sewers in Metropolitan Toronto that are not separated, and every time it rains, raw sewage pours into the Toronto waterfront. There is no big mystery as to why our beaches are polluted. They are not polluted by ducks, geese, sea gulls, beavers, dogs or cats; they are polluted because our sewers flush into the lake. If we want to clean up our beaches and our waterfront and let our children swim in the summer, we will have to finance sewer separation. This bill does not do it.

The thing that is upsetting is that the Minister of the Environment (Mr. Bradley), who is not even here this afternoon, has been running around getting a great deal of public relations advantage out of this proposal to use surplus funds for pollution abatement, as though somehow this proposal will have the slightest impact on our polluted waterfront.

My friend the member for Brock (Mr. Partington) raises concerns about the water in the Niagara Peninsula and other communities across the province. The solution will not be found in makeshift, ad hoc projects and programs such as this. The solution will be found in a major commitment of the government of Ontario to finance sewer separation and pollution treatment through loans and grants. It is as simple as that. There is no mystery or magic about it. It is a social cost that has to be accepted by government. Until government accepts this cost, we will have filthy water, polluted beaches and hundreds of thousands of children who are unable to use our beaches in summertime.

Hon. Mr. Grandmaitre: The member for Oshawa (Mr. Breaugh) and the member for Bellwoods (Mr. McClellan) are quite right. This is not the end of pollution, not only in Metro but also in this province. However, it is a start. I point out that the initiatives by Metro and also by Waterloo are to be commended. They realize we have a great and continuous job to resolve the pollution abatement problem in Ontario.

I am sure the members will recall that only three years ago the Federation of Canadian Municipalities provided a well-documented report to the federal and provincial governments saying that \$12 billion was needed in 1983 to resolve our pollution problems. This report has not fallen on deaf ears. This government and my ministry are following up on this. We are tentatively working on a meeting with Mr. Wilson, the treasurer or minister of dollars in Ottawa, to remind him of the need in Ontario and right across this great country of ours.

It is only a start, but it is a start. I realize \$30 million perhaps is not a great deal of money to spend on sewage or pollution abatement in Metro Toronto, but the members should not forget that the provincial government will provide some grants, so we will be sharing in the cost of these sewage projects. They might qualify for a 50 per cent, 60 per cent or 75 per cent grant. It is much more than the \$30 million mentioned by my critic from the Conservative party, the member for Brock.

Motion agreed to.

Bill ordered for third reading.

LINE FENCES AMENDMENT ACT

Hon. Mr. Grandmaitre moved second reading of Bill 23, An Act to amend certain Acts in relation to Line Fences.

Hon. Mr. Grandmaitre: This legislation was originally introduced for first reading on June 19,

1984. It contains a substantial number of amendments to the Line Fences Act and has two major purposes.

The first purpose is to establish a new method of hearing appeals from the awards of municipal fence-viewers. The bill provides that, upon proclamation, appeals will be heard by individual referees appointed for different areas of the province. These referees will be chosen on the basis of their specialized knowledge of fencing issues and of the traditions relating to line fences in Ontario, especially in agricultural areas. The hearing of appeals has been a source of some controversy in rural areas. I believe this proposed new procedure will be helpful in resolving this issue in a practical and equitable manner.

The second purpose of the bill is to make a number of other, more technical amendments to the act. The bill has been widely circulated to all groups with an interest in the Line Fences Act and the response has been very positive.

Mr. Partington: I would like to comment on various sections of the bill. I would like to do so in one statement, if I might. If I do it on a section-by-section basis, as was suggested, we might be here far longer than we want to be.

Mr. Speaker: Second reading is the appropriate time.

Mr. Partington: Bill 23 is a piece of legislation that many residents of Ontario, particularly those residing in the rural areas of the province, have been keenly awaiting. There is no denying that over the years, a number of deficiencies in the current act have become apparent. Bill 23 seeks to respond to these problems by establishing a new appeal procedure and by dealing with matters peripheral to the appeal process such as costs, filing of necessary documents and notice provisions.

Other important items dealt with in Bill 23 deal with the recovery of administrative costs by municipalities, matters to be considered by the fence-viewer and payments to the fence-viewer. None of these changes is objectionable, as I see them. As with other bills to be dealt with today, my concerns about the bill are very limited. In fact, my only serious reservation relates to the fact that Bill 23 calls for the appointment of referees to replace small claims court judges as appeal adjudicators.

Mr. McClellan: Liberal hacks. A patronage bath by the Liberal Party.

Mr. Partington: I am being anticipated, however incorrectly, by the member. Needless to say, I will continue over his innuendoes. As I

indicated, my concern is with respect to the replacement of small claims court judges by referees as appeal adjudicators. This raises the spectre of increased political patronage.

Mr. McClellan: No!

Mr. Partington: Yes. This is how referees are selected, not for their expertise in resolving these disputes but perhaps because of their support for the government of the day.

17:00

Furthermore, this step will entail additional cost and result in another increase in our bureaucracy in the absence of a clear indication that the small claims court judges are not doing the job or are inappropriate adjudicators. I confess I have some concerns about this section of Bill 23.

On the other hand, if I can be assured by the minister that the referees will do a better job and will be selected for their knowledge and ability to resolve these disputes rather than using this as another avenue for political patronage, my concerns will be eradicated and I will be able to indicate my complete support for this bill.

In the absence of this assurance, I feel I can support this bill only with the reservations I have just outlined.

Mr. Breagh: I will be interested in the criticism from the Conservative members on a bill they introduced about two years ago. I will wait with bated breath as they savage the government for doing what they started to do. This is one of the bills that caused the government to fall. When the Tories were in power, they introduced this legislation and refused to bring it forward. I for one could see that there was no way that kind of corruption could go on in rural Ontario. It had to be fixed. If the Tories did not have enough guts to proceed with this legislation, we would throw the beggars out and bring in a new group of beggars. To my dismay, that seems to be what has happened.

Most urban members will not have much of an appreciation for line fences. Let me share a personal revelation I had when I went to a regional council system that had a large rural area. This may not look very controversial here, but some of the best arguments in Ontario happen over this type of dispute. I listened to the member for Brock suggest that the new Liberal government would put all the Liberals in charge of arbitrating these disputes. If we want to get rid of a bunch of Tories, I suggest we put the Tories in charge of arbitrating these disputes. They will be victims. This is hardly a patronage event.

I know it is seen by some as being a favourable government appointment, but anyone who has ever been in the slightest way involved in the arbitration of these disputes knows that this is not a pleasant job. Few nuclear weapons are used, but they are vehement in their arguments. This is not exactly one of the best appointments one could get.

I think that the bill, as it has been finally brought forward—and I am relieved to see it has been—does resolve some very tricky, difficult, day-by-day problems in many parts of rural Ontario. I am aware that it has been the subject of a great deal of discussion over the years and it is a serious problem. When the previous minister, the member for Don Mills (Mr. Timbrell), first introduced this bill, he recognized that something had to be done. There had been a process in place for some years that was not working very well, although it was not totally wrong.

It is the type of thing where no one ever wins. I do not think the previous government had any illusions that it was going to resolve all these disputes in a nice neat way by introducing the legislation, nor does this government have any illusions that the revision to the Line Fences Act will solve all the problems. It is the type of thing where there will be very heartfelt disputes between two adjacent property owners, and no one can win in that situation.

The best one can do is to put in place a reasonable process and see that those who are participants have reasonable guidelines and get reasonable compensation. In the end, one party will be happy and one party will be angry. That is the way it is going to be, folks. Nothing anyone can ever do will change that situation. The best we can do is probably what is proposed in this bill, that is, revise the process, not with major changes but with minor ones, to make it somewhat more understandable, a little more comprehensible and a little more reasonable.

There have been some discussions that this may not be any better than what was used previously. I think that is inevitable. Those of us who have had the opportunity to be observers of this kind of discussion and dispute know there is no good way to resolve this.

We could let the people in disputes such as this go directly to court, engage lawyers, begin the court process and let it go on at length, but most of us would agree there is a need for some reasonable arbitration process at a local level, which is what this is. I believe, and according to the people to whom I talk, the proposals in this bill are worthy of a good trial. I have no illusions

that arguments in rural Ontario over this kind of dispute are going to stop; they will not. They never have under any government and they never will. The arguments are really heartfelt arguments and they have to do with family farms; so there is a lot of emotion that rolls into this. It has to do with how a farmer carries on the business of agriculture; so I am sure there will be continuing disputes around it.

I feel reasonably comfortable that this bill will put in place a process that most people, though not everybody, will see as reasonable. It will provide to some people in our rural municipalities some relief from the current process. It is touted to expedite the process somewhat. I do not have a lot of faith that it is going to do that, but it may. It may make the process a little more straightforward. It may make the process a little bit fairer, but we are talking about degrees, not light-year leaps.

We in the New Democratic Party are happy to support these proposals. It is unfortunate that it took the fall of a government to get them before the Legislature. Worthy of note is that in ordering the business of the day, the government put the Line Fences Amendment Act in front of several Metropolitan Toronto bills. I want to congratulate the government for at least giving rural Ontario the shot that the Tories never would give it.

Mr. McGuigan: I am very happy to rise in support of Bill 23. I recall when the other bill was passed three years ago, it was believed by all three parties to be a good bill, but the point in it that has been hard to cover has been its philosophy about the ownership of land.

Mr. Breaugh: A second government may go down over this bill.

Mr. McGuigan: It could do. It is no laughing matter to those people who have livestock in the country.

According to ancient history and present usage, you own only the land you can defend. We should think for a minute about the billions of dollars we spend sending cutters through the ice in the polar regions and aircraft to fly over that land simply to establish we are defending it. By having a presence there, we can claim ownership of those lands. In some cases, they are only floating islands. Nevertheless, we spend billions of dollars to indicate to the rest of the world we are defending that land and we own it.

The individual property owner is not expected to stand out there with a gun and defend his land. Because animals do not recognize boundaries, we are expected to defend boundaries with

fences. The trouble comes when there is a farmer with animals or, in many cases today, when city people move out to the country and establish horse farms and have horses out there. Anybody who has been around a horse knows that when it is turned out into a field, the first thing it does is run around the defined boundaries and then determine the quickest way to tear them down. A horse will lean on a fence and in short order have that fence down.

The argument involves the fellow who is, say, a cash cropper and does not have animals. He says it is not his duty to fence his property to keep the other animals out; it is up to the other fellow to fence his property to keep his animals in. There you have the real basis of the argument and the misunderstanding. Even the magistrates who are in charge of the small claims courts have, in many cases, been unable to accept that. They very often come from a city background and simply take the view: "They are your animals. You fence them in." However, the principle of law is that a person must also fence them out.

The way the system works, as all members know, is that the fence viewer comes out and he usually assigns 50-50 to each owner. This is very difficult when you have a farm field that may be up against a strip development where you have lot after lot of houses and some of those home owners who have dogs then come into the picture. It becomes pretty involved and, as members have mentioned, a lot of high feelings develop.

17:10

To date, the small claims courts have not been able to deal with this, so the government, in its wisdom and in the light of the experience over the past three years, has appointed referees who will deal with this matter constantly. They will be trained in the fine points of the law and they will gain experience, and we hope they will bring a better resolution to this big problem.

I know it is not a big problem in the city, although I do not have city experience. Perhaps city lot owners have difficulties between themselves. I do not know anything about that, but out in the country, especially in areas where there are livestock, this is an important matter.

Mr. J. M. Johnson: First, I congratulate the minister for bringing forward this bill. I had intended to make a few comments to the member for Oshawa, but he has disappeared. He mentioned political patronage and that Tories should be appointed to be referees. I think we solved that problem this morning by passing resolution 64, the resolution of the member for Simcoe East

(Mr. McLean), which was widely supported by members of the party on the left. They were likely hoping to obtain the appointments as referees. However, I can assure members that most sensible Tories would not be very excited about this job.

Most of my rural constituents will be pleased with the change, taking this decision from the small claims courts and the judges and giving it to a referee. The whole process will depend on the fairness of that referee. If reasonably knowledgeable and intelligent people are appointed, especially people who are knowledgeable about the rural aspects of the country, we will not have a major problem with it. There will be a few problems. I think that many judges, however well intentioned, were not as familiar with the rural problems as we hope these referees will be.

I have a few concerns. One is an example of a constituent who had a problem that was taken to small claims court. He was awarded 50 per cent of the cost of building a fence. His neighbour refused to participate; so he built the fence himself. Then he had the difficult problem of trying to obtain the 50 per cent that was assessed against his neighbour. Ultimately, it was resolved only because the township council was supportive of his initiative and helped him.

I cannot find the section in this legislation. How does the minister propose that an individual can recoup the cost of the fence that is assessed against his neighbour if his neighbour refuses to build the fence? I am not sure of any other questions, but I would like him to answer that one. I support the concept of the legislation and I hope we can make sure that we get fair and knowledgeable referees. I would like the minister to give me an answer on how an individual has the opportunity to recoup the 50 per cent.

Mr. McKessock: I am pleased to stand and support this bill on behalf of the farmers of Ontario. It seems as if many fencing seasons have passed, and the farmers have been looking for this bill to be changed.

A problem arose in our area and in other parts of Ontario when the Line Fences Act was taken to court and the judge, in his wisdom or lack of it, gave the responsibility of maintaining the fence to the land owner who did not own the livestock. He failed to recognize that each property owner was having his land not only marked but also protected by having a fence, and he was breaking a 100-year tradition of equal sharing of the fence responsibility between the land owners on either side.

It is good to see that this bill is going to take the Line Fences Act out of the courts and make it the responsibility of farmers, who will be appointed as referees in the rural municipalities. If disputes arise, they will come before these new committees.

As I mentioned earlier, the judge failed to see that the fence not only was marking the line between the two properties but was also protecting the two properties. It is for this reason I want to make an amendment to subsection 5(2) of the bill, an amendment that has previously been agreed to by the minister, and add, after the words "between their lands marked" the two words "and protected" before "by a fence." This points out that a line fence not only marks the property but also protects it. It is very important that those two words be added to that section of the bill.

May I present that amendment?

Mr. Speaker: No, you may not. I would inform the member that we are now discussing the bill in second reading. He has informed the members of the House that he hopes it may go to committee of the whole House, where he can make the amendment.

Mr. McKessock: Thank you. I will not hold the bill up any longer. I would like to see it go to committee of the whole so that I can make this amendment to clarify it, make that section of the bill more realistic and show that a fence does protect as well as mark.

Mr. McLean: I would like to comment briefly on this bill. I observed this morning that it is the same bill that was introduced on June 18, 1985, by the member for Don Mills (Mr. Timbrell), if memory serves me correctly. I looked at it this morning and I think it is the same word for word. I believe this bill is long overdue and I am pleased to see this government acting on it.

I have been involved in farming for quite a bit of my life and have had to do with municipal politics and with the appointment of fence viewers and with trying to make sure the people who complained and had objections to their fences, were treated in a correct manner. When I look over the past several years at the court cases that have been held and at some of the decisions that were made by the judges, I can cite one that was held in the county of Simcoe that was a very controversial one and was not very satisfactory to the owner of the property, who had farmed for many years and had to put up fences to keep other people's cattle out.

17:20

The key to this bill is the appointment of the referees. This is great. It is good that we will know a little about what they are talking about when they are dealing with property. I also suspect this bill will have a bearing on what takes place in subdivisions and in areas of the province other than strictly farms. It is important that this is in the bill because many people now have disputes over boundaries where a fence is down and they want to put up a fence or put up something that may not be suitable to somebody else. This bill will cover the referee determining that decision.

I also see in the bill that the municipality still has a fair bit of power. That is great because the local municipality is the overseer of what takes place. It happens to be a good bill. I agree with the member for Grey (Mr. McKessock) about adding those two words "and protected." It is important they be added, and I support that amendment. It defines a little more firmly what this bill is trying to say.

I wanted to comment briefly because just this week a constituent of mine wanted to be involved in repairing his line fence. His neighbour is a nonresident, a weekend property owner, and he did not want to get into the kind of legal situation that has occurred in the past. With the referees being appointed, this will help the farmers and the people who need it.

Hon. Mr. Nixon: I thought I might spend a moment or two on this since the Line Fences Act has been treated with some degree of levity by some members on the opposite side. I regret to say that but it is the truth. I heard the member for Brantford (Mr. Gillies), who was on an extensive phone-in show last Saturday, complaining that the work of the Legislature was winding down to the point where he suspected we would be dealing next with the Line Fences Act.

Actually, a lot of farmers who have expressed deep concern about the inadequacies of the former legislation, waited for months and years for the previous government to come to grips with the problems that it had itself created with its previous amendments to the Line Fences Act. I want to join the other members who have expressed their congratulations to the minister for moving to solve these problems.

In many areas of the province, our line fences are not quite as important as they used to be as the numbers of cattle are reduced and as they become more concentrated on larger farms. We always had cattle on our farm in South Dumfries township until a few years ago when we decided to sell them all off, and the fences have

deteriorated and depreciated substantially. My wife is out there often in the nice spring weather removing the old fences to improve the landscape. I appreciate that she does that around the farm along with many other things.

However, we have neighbours who have cattle and the responsibility to keep up one's share of the fence is obvious. The rule used to be simple. As you stood on your own property, the left-hand half was your responsibility.

Mr. Wildman: Facing in which direction?

Hon. Mr. Nixon: Out. It is very simple except for people who treat this important legislation with levity. I am telling the members that it is meat and drink in our part of the world and the farmers are pleased indeed that we have finally come up with a practical solution.

Mr. McClellan: After 18 months.

Hon. Mr. Nixon: We have had a lot of other important things to do. This was not part of the accord because among those who treat it with levity are even members who are democratic socialists or whatever the adjectives they use this week happen to be.

Anyway, I am delighted that this act is going forward. I congratulate the minister. I know many of the farmers will appreciate this. It will take the threat of court action away from them, particularly with the practical solutions that have come forward, which I think we will find beneficial in the farming community and elsewhere.

Mr. Wildman: Just to comment briefly on the remarks of the Treasurer, just as good fences make good neighbours, so too do good politicians make good debates and good accords make good government.

Mr. Partington: I would just like to add a few words to the—

Mr. Speaker: No. You may not. I am sorry, I thought you were asking for further debate. Are you seeking to make comments or ask questions?

Mr. Partington: I have just a comment. Following the words of the Treasurer, I would add that this party considers the Line Fences Amendment Act a very serious piece of legislation. Those of us who are aware of disputes that arise over boundaries know there are probably fewer issues in life that create greater passion and problems in the resolution of something which might normally appear to be a very simple matter. The member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) and the member for Simcoe East have conveyed that feeling. We are pleased to support the passage of this act.

Mr. Breagh: I thought it would be worth while to point out that there are many of us in what are considered to be urban municipalities who will be affected by this legislation.

In the middle of my municipality, the city of Oshawa, is E. P. Taylor's Windfields Farm. Romping around the acres of Windfields Farm are very expensive thoroughbred horses. I am sure Mr. Taylor is very interested in this legislation to resolve this type of dispute, as are all the farmers all around him.

It is perhaps an issue which may be a little higher up the list in rural Ontario, but it is also a matter which comes into effect in many of our municipalities. At first flight, one might think of Oshawa as being an urban industrial centre, but the city of Oshawa has a great many farmers in it, many of whom are very concerned about this type of legislation.

For those who do not understand it and treat it in a flippant way, lightly and with no reverence, that is quite wrong. However, as the Treasurer has just proven, he too can be funny.

Mr. McLean: Just briefly I want to say once again that on June 18, 1985, the member for Don Mills brought in an identical bill, word for word. I believe it was he and his staff who drafted this bill. I complimented the minister for bringing it forward, but I have to say we know who drafted it.

Mr. Speaker: Are there any final comments from the Treasurer? Any further debate? The minister may have some wind-down comments.

Hon. Mr. Grandmaître: As the member for Oshawa (Mr. Breagh) mentioned, this is not the end of the road, it is only a start. It is a better mechanism to work with.

The member for Brock (Mr. Partington) asked why we removed this from the hands of the courts. It is very simple. There were delays in cases being heard. It was only fair to put it into more competent hands, to put it into the hands of referees to find a solution to these problems.

I agree with the member for Oshawa; it not only affects rural Ontario, it is right across this province. This is very important. It affects every municipality in this province.

The member for Wellington-Dufferin-Peel asked me what would happen if a neighbour refused to pay his fair share of the fence. That neighbour would still be able to take action in the small claims court, and his second option would be to have the municipality add this amount due on his municipal tax bill. Those are the two recourses, and that is part of the bill.

Motion agreed to.

Bill ordered for committee of the whole House.

17:30

House in committee of the whole.

LINE FENCES AMENDMENT ACT

Consideration of Bill 23, An Act to amend certain Acts in relation to Line Fences.

Sections 1 to 4, inclusive, agreed to.

On section 5:

Deputy Chairman: Mr. McKessock moves that subsection 7(2) of the act as set out in section 5 of the bill be amended by inserting after "having" in the fifth line "their lands protected by a fence and."

Mr. J. M. Johnson: On a point of order, Mr. Chairman: I am concerned about the explanatory notes on section 14, which explain how a municipality is allowed to designate areas in a municipality by passing a bylaw. When can we discuss that section? It is section 14 on the second page.

The Deputy Chairman: We are on section 5.

Mr. J. M. Johnson: When will we come to the explanatory notes? I want to ask the minister about that.

The Deputy Chairman: When we deal with section 14, I will call you on that.

Mr. J. M. Johnson: Section 14? Thank you.

Mr. Breagh: Who is going to explain to us why we are bothering with these words now and what they mean? It would have been nice if someone had shown us the courtesy of circulating an amendment to this bill, which has been in Orders and Notices for only two years. The member has had two years' notice. If he had wanted to amend it, perhaps he could have found some time in those two years to get out his crayon and show it to the rest of us, especially if he wanted us to support it.

Mr. McClellan: We do not have copies of it.

Mr. Breagh: Does anybody have copies of it? Does the minister have a copy of this amendment?

The Deputy Chairman: We can get a photocopy made.

Mr. Breagh: That would be really nice, yes, since the standing orders require us to have a copy. It would be really nice too if the minister who is carrying the bill had a copy of the amendment. That would really help.

Mr. McKessock: While we are getting copies for the members, I am sorry they have not received copies. It only adds the words "their lands protected by a fence and" after the word "having" in the fifth line.

The reason for it is that, as the bill now reads, it says, "the benefit to both owners of having the boundary between their lands marked by a fence." That, to me, does not outline the benefits of this act. Having boundaries marked by a fence is only one part of it. The other part is having your lands protected, and I feel that the main part of this bill is having your lands protected, having them marked is a secondary part of it. I feel it is inadequate not to have those words "their lands protected by a fence and" added to this section of the bill.

Mr. Breagh: I want to speak to the amendment. The only difficulty I have, frankly, is that the member has, I think—and I could be wrong—stood in his place this afternoon and put his chosen words together to insert here. The bill has been around for two years, subject to scrutiny by members of the assembly and people all over Ontario, and it does change the nature of the bill somewhat. Let me try to point out some concerns I have on it.

"Their lands protected by a fence" carries a connotation—to me, anyway—that goes a little bit further than the wording used in the original proposal. The original proposal talked about "the nature of the fences in use in the locality." People are going to have a difficult time with this, I know, but if you put up a fence between somebody who is running cattle and somebody who has a chicken farm, the same fence will not serve the purpose for both folks. If the member is arguing that you would now have a legal right to have your land protected by a fence so as to be protected from wayward chickens, in this instance, what do you do? Is the member saying that this adds an additional right to someone to have his land protected by it?

Maybe the example I used was somewhat unfortunate, but as I noted previously, some of my farmers, to use the term in the broadest possible sense, have very valuable animals on their land and they go to some rather extreme lengths to protect that livestock. They have horses and cattle on their property that are worth literally hundreds of thousands of dollars. If this goes past the original concept to mark it and to use a fence technique that is appropriate in that locality—if, in other words, this says you now have the right to have your land protected by a fence, and the government sets up the criteria that

will indicate what kind of fence will get built—we are changing the nature of it quite a bit.

I put to members that this is a rather significant amendment. I think the member means the fence has to serve the purpose, but someone else may get the opportunity to go before the referee in this instance and argue, “On my property I have very valuable livestock and I want to protect them to this degree; so I built a nine-foot fence with a security system and guards who intervene.” I know some members in here who have valuable livestock on their property, and they have security systems. It is not just a wooden rail fence that is used.

Some explanation needs to be put to the House, and perhaps to the minister too, before we accept the amendment. That, of course, is precisely why we like to see these words ahead of time.

Mr. McKessock: I might point out that at the start of that section the statement is made, “In making the award, the fence-viewers shall have regard to the suitability of the fence.” Therefore, this section tells us that the fence-viewers will decide the suitability of the fence, whether it is going to be to protect prize animals, chickens or whatever it is. The fence will definitely be different for different areas. That is going to be arrived at by the fence-viewers and that is quite clear in the bill.

My only reason for adding the word “protected” was to make it correspond to the bill. To me, a fence is not going to be put there to mark the boundary; the fence is going to be put there to protect the property. Therefore, not adding those words is not doing the bill justice. To do it justice, we have to add those words so that we clearly know what it is all about.

Mr. Partington: I would like to comment on two things: first on the substantive aspect of this amendment and then on the manner in which it is delivered.

17:40

As the member for Oshawa indicated, the bill has been in existence for a long time. If this were not an afterthought and if it had received some input from the member presenting it, it probably would not have been presented. I say that because if one reads subsection 7(2) of the act as set out in section 5 of the bill, it states, “In making the award, the fence-viewers shall have regard to the suitability of the fence to the needs of each of the adjoining owners.” At that time, I suppose the fence-viewer would take into account the activities on the lands and decide

what type of fence is there for decoration or protection.

It goes on to state “the nature of the terrain on which the fence is, or is to be located”—which would indicate consideration of the type of fence—“the benefit to both owners of having the boundary between their lands marked by a fence.” We have already talked about protection in the first part, “shall have regard to the suitability of the fence to the needs.” This section talks about the benefit of having the boundary marked. That is exactly what it talks about. Should we define on the land exactly where the boundary is between the two properties? The section then goes on to state at the end “and may have regard to any other factors that they consider relevant.”

The first part of the subsection indicates the fence-viewer has “regard to the suitability of the fence to the needs of each of the adjoining owners or the occupants,” and, at the end, “and may have regard to any other factors that they consider relevant.”

Those two parts of the subsection answer the need of the member for protection. The section to which the member is trying to add descriptive words states “the benefit to both owners of having the boundary between their lands marked by a fence”. It talks about marking. It is not concerned about protection. Protection is already taken care of in that subsection. A clear reading of the subsection will show that. I submit the amendment is not required and should be defeated.

Mr. McKessock: I am sorry the member feels that way because I am not sure why he would deprive the farmers of Ontario of the added protection of a few words that clarify the point.

Mr. Wildman: Why did you not follow the rules and give proper notice?

Mr. McKessock: I am sorry if that little technicality is going to interfere with the passing of the amendment. It does not make any drastic change to the bill. It makes clear that the fence is not marking a boundary but is protecting the properties.

Mr. Breaugh: I have had a chance to look at it and I am going to reject the amendment from my point of view. I have to give some reasons. This is truly a sad way to run a bill through the Legislature.

The Deputy Chairman: I did not quite hear you. Did you say you object?

Mr. Breaugh: I object to it and I will vote against the amendment. This is a handwritten

amendment that has words scratched out, is grammatically incorrect and is not clear as to its intent.

If the member seriously thought it was worth while, he has at his disposal people who can type these things. He has the ability to mail to and give proper notice to the members here and to all the municipalities in Ontario. They have had this, and we have made the government print this bill and circulate it and give notice, for two years now.

If he cares about the people he represents, he ought to care enough to give some notice of this kind of amendment. If he cares about them, he ought to care enough about them at least to get out a typewritten notice within two hours, as suggested by the standing orders. If he cared enough and if he thought this amendment was important enough, he would have taken the time to inform the minister that he was moving an amendment.

On these grounds, we should reject it. I suppose there will be another opportunity for him to do it at some future date when two more governments fall and the Line Fences Act comes up for review. I take great objection to the fact that he stood up this afternoon with his little handwritten note and laid a guilt trip on everyone else around here for not caring about Ontario's farmers. This is patent nonsense and he knows that.

I am surprised that this particular member would use that kind of cheap stunt this afternoon. If he cared enough about the farmers of Ontario, or the municipalities in Ontario or rural Ontario, surely he would have used one of the resources available to him as a member of this House at least to give us reasonable notice, at least to type it up so that we could read it instead of having the rather unfortunate handwriting that is here, and at least to consult with his own minister. He has had two full years to deal with this. If he cared enough, some time in those two years he would have done these simple things.

I am concerned somewhat about changing this legislation at this time. It may not be a great alteration, but it is an alteration and somebody, somewhere, is going to use it as an arguing point in cases in the future. That is what legislation is all about. Although the change of one or two words in a bill may have seemed a moment of genius to the member when he drafted it on the back of his little piece of paper this afternoon, somebody else has to live with those changes for ever and a day, or until we change the act again. This is why the standing orders say one must give

reasonable notice to the members, wherever it is possible. This is why we suggest that if one wants to make amendments to bills, one takes them to the respective caucuses and circulates them to the minister.

I have found on many occasions that when one wants an amendment and it is a reasonable thing to do, the ministry is more than happy to look at all the ramifications the amendment might have, take them into consideration and accept it or reject it.

It is unfortunate the member felt this was so important an amendment to put to us that he did not think enough of the rest of us to let us even know what the amendment was. On that ground, I am sorry, I have to reject it.

Mr. McKessock: I certainly did consult with the minister; the member has indicated I had not done so. I certainly do feel it is important and that is why I brought it forward.

I feel that somebody might take the bill out of context or take it to court the way it was, and that is why I added it. I think it is more likely to cause problems the way it is than by adding those few words. Of course, that is why I added the words.

Again, I am sorry I did not do it in a more proper manner and have it typed out to give the members a copy previously, but I did not think this bill was coming forward today. There were quite a few things on the agenda, and I thought it would be the first of the week before it came forward. I apologize for that and I would ask for the members' support to have the amendment passed.

The Deputy Chairman: Mr. McKessock has moved that subsection 7(2) of the act as set out in section 5 of the bill be amended by inserting after "having" in the fifth line the words "their lands protected by a fence and."

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 5 agreed to.

Sections 6 to 13, inclusive, agreed to.

On section 14:

Mr. J. M. Johnson: The minister very kindly dealt with the problem I had.

Section 14 agreed to.

Sections 15 and 16 agreed to.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill without amendment.

17:50

DISTRICT MUNICIPALITY OF MUSKOKA
AMENDMENT ACT

Hon. Mr. Grandmaître moved second reading of Bill 25, An Act to amend the District Municipality of Muskoka Act.

Hon. Mr. Grandmaître: This bill will provide for the earlier selection of the district chairman and allow the district council to hold its first meeting at an earlier date.

In addition, the bill will allow the district to expend money in its pollution control fund for the installation of water systems. These amendments are being made at the request of the district council.

Mr. Partington: Bill 25 deals with a number of what can be considered housekeeping matters. Specifically, it amends the provisions governing such matters as the selection of the district chairman, as the minister has indicated, the conduct of the inaugural meeting and the annual redemption of debentures.

Bill 25 will also implement a number of changes made necessary by the repeal or changes to other provincial legislation such as the Mortmain and Charitable Uses Act.

As the Municipal Affairs critic for my party, I have no real objection to the bulk of this legislation. My only major concern relates to section 7, which would appear to allow the district council to expend money in its pollution control fund for the installation of water systems. In view of the serious pollution problems facing this area of the province, I must question any plan that would permit a reduction in our pollution efforts.

Pollution must be fought at its source. It is inappropriate to rely on water treatment. This does nothing to curb the pollution of our lakes and rivers beyond attempting to ensure safe drinking water and, like Bill 123, An Act to amend the Municipality of Metropolitan Toronto Act, discussed earlier today, this measure of taking funds from one designated area and placing them into another can be considered only a stopgap measure.

What we need—and I see the Minister of the Environment (Mr. Bradley) here—is a greater commitment, not a commitment in words, but a commitment in deed, that is, more money to put to the problem of solving our water pollution problems, not only in Muskoka but also in other areas of the province, including, I might add, the area in the Niagara Peninsula we talked about earlier.

But for this objection, I will support the thrust of the bill.

Mr. Breaugh: The people in Muskoka have been waiting a long time for this bill. This is another one that was introduced by a previous government. That government fell because it refused to take action, and we are happy to support the bill this afternoon.

If one reads it carefully, one will find that the pollution control device that is being suggested in this bill is the installation of a water system. We are always happy to do that and will support the bill.

Mr. McLean: I would like a clarification from the minister on the reasoning in subsection 6(2): "The revenues and expenditures of a home maintained by this district corporation under the Homes for the Aged and Rest Homes Act may be included in the general revenues and expenditures of the district corporation and the district corporation shall not be required to maintain a separate bank account in relation thereto."

Having been involved in homes for the aged in the county, I am just wondering why this is going into the general revenue account of the corporation, why it would not have a special account kept under the Homes for the Aged and Rest Homes Act and why this change is being made in general revenue.

Hon. Mr. Grandmaître: For every municipality, having created a revenue fund for a water or sewer charge at the end of the fiscal year, the revenues go back to a general fund. That is my explanation, but I am waiting for a better one from my counsel.

Mr. Breaugh: Why do you not ask the member for Grey (Mr. McKessock) to write one out for you?

Hon. Mr. Grandmaître: I thank the member for Oshawa for the suggestion.

Mr. McClellan: This is second reading, is it?

Mr. Breaugh: Yes.

Mr. McClellan: I see. It is a good thing we are flexible.

Hon. Mr. Grandmaître: Under the Homes for the Aged and Rest Homes Act, the district must maintain a separate account. I was right. The home is run directly by the district and there is a need for a separate account. I was right again. I was right on. The municipality and the Homes for the Aged and Rest Homes Act require separate accounts.

Mr. McLean: I should take a minute to respond to the information that was received,

because the Charities Accounting Act applies. In regard to the separate bank account, what are we going to do now about the change that should be made?

Motion agreed to.

Bill ordered for third reading.

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: I would like to indicate the business of the House for the coming week.

On Monday afternoon, November 17, 1986, Treasury estimates are to be concluded.

On Tuesday afternoon, Wednesday afternoon and Thursday afternoon, the legislation is as follows: Bill 48, Metro Toronto Act, dealing with municipal pensions; Bill 66, business

corporations; Bill 119, Liquor Control Board of Ontario; Bill 120, Liquor Licence Board of Ontario; Bill 121, land titles; Bill 122, registry office; Bill 14, oleomargarine; Bill 58, Time Amendment Act, and other legislation by agreement, if time permits.

On Thursday morning, private members' public business standing in the names of the member for Windsor-Walkerville (Mr. Newman) and the member for Eglinton (Mr. McFadden) will be dealt with.

Mr. McClellan: Five bills in one day.

Hon. Mr. Nixon: Too many.

The House adjourned at 5:58 p.m.

CONTENTS

Thursday, November 13, 1986

Private members' public business

Remuneration of retired employees , resolution 64, Mr. McLean, Mr. Breagh, Mr. Mancini, Mr. Ashe, Mr. Swart, agreed to	3265
Nuclear arms free zone , resolution 1, Mr. R. F. Johnston, Mr. Henderson, Mr. Jackson, Mr. Rae, Ms. Hart, Mr. Shymko, agreed to	3273

Members' statements

Conservation authority , Mr. Sheppard	3284
Professional certification , Mr. Mackenzie	3284
School funding , Mr. Callahan	3284
Cream producers , Mr. Pierce	3284
Layoffs in Sudbury , Mr. Laughren	3285
Heritage Islam Society , Mr. Offer	3285
Ontario wines , Mr. Andrewes	3285

Statements by the ministry and responses

Courthouses , Hon. Mr. Scott, Mr. Sterling, Ms. Gigantes	3285
Funeral services legislation , Hon. Mr. Kwinter, Mr. Runciman, Mrs. Grier	3287
Insurance rates , Hon. Mr. Kwinter, Mr. Runciman	3288
Report, advisory committee on municipal liability insurance , Hon. Mr. Grandmaître, Mr. Breagh	3290

Oral questions

Northern health services , Mr. Andrewes, Hon. Mr. Elston, Mr. Pierce, Mr. Harris	3291
High technology development , Mr. Runciman, Hon. Mr. O'Neil	3292
Automobile insurance , Mr. Rae, Hon. Mr. Kwinter	3292
Nursing homes , Mr. Rae, Hon. Mr. Elston	3293
Tariffs on softwood lumber , Mr. Hennessy, Hon. Mr. O'Neil, Mr. Pope	3294
Rental housing protection legislation , Mr. Grande, Hon. Mr. Curling	3295
Pay equity legislation , Mr. Andrewes, Hon. Mr. Scott	3295
Women employees , Ms. Gigantes, Hon. Mr. Scott	3296
Pay equity legislation , Mr. Harris, Hon. Mr. Nixon	3296
Waste disposal , Mrs. Grier, Hon. Mr. Peterson	3297
Association for the mentally retarded labour dispute , Mr. Baetz, Hon. Mr. Sweeney ..	3297
Occupational health and safety , Mr. Martel, Hon. Mr. Wrye	3298
Rental housing , Mr. Partington, Hon. Mr. Curling	3299
Hospital funding , Mr. Warner, Hon. Mr. Elston	3299
Government contract , Mr. Pierce, Hon. Mr. O'Neil	3300
Weiler report , Mr. McClellan, Hon. Mr. Wrye	3300
Courthouse , Mr. Pollock, Hon. Mr. Scott	3300
Report, standing committee on the Ombudsman , Mr. Philip, Hon. Mr. Kwinter	301
Municipal elections , Mr. Callahan, Hon. Mr. Grandmaître	3301

Motion

Committee meeting, Hon. Mr. Nixon, agreed to	3301
---	-------------

First reading

546672 Ontario Limited Act, Mr. Cousens, agreed to	3301
---	-------------

Second reading/Deuxième lecture

Loan and Trust Corporations Act, Bill 116, Hon. Mr. Kwinter, Mr. Ashe, Mr. Breaugh, Mr. McFadden, Mr. McClellan, agreed to	3302
Loi de 1986 sur les compagnies de prêt et de fiducie, loi 116, l'hon. M. Kwinter, M. Ashe, M. Breaugh, M. McFadden, M. McClellan, adoptée	3302

Committee of the whole House

Regional Municipalities Amendment Act, Bill 22, Hon. Mr. Grandmaître, Mr. Partington, Mr. Breaugh, reported	3313
--	-------------

Second readings

Municipality of Metropolitan Toronto Amendment Act, Bill 123, Hon. Mr. Grandmaître, Mr. Partington, Mr. Breaugh, Mr. McClellan, agreed to	3314
Line Fences Amendment Act, Bill 23, Hon. Mr. Grandmaître, Mr. Partington, Mr. Breaugh, Mr. McGuigan, Mr. J. M. Johnson, Mr. McKessock, Mr. McLean, Hon. Mr. Nixon, agreed to	3316

Committee of the whole House

Lines Fences Amendment Act, Bill 23, Hon. Mr. Grandmaître, Mr. McKessock, Mr. Breaugh, Mr. Partington, reported	3322
--	-------------

Second reading

District Municipality of Muskoka Amendment Act, Bill 25, Hon. Mr. Grandmaître, Mr. Partington, Mr. Breaugh, Mr. McLean, agreed to	3225
--	-------------

Other business

Recess	3283
Visitors, Hon. Mr. O'Neil	3290
Resignation of member, Mr. Hennessy	3290
Answers to questions in Orders and Notices and response to petition, Hon. Mr. Nixon, tabled	3301
Business of the House, Hon. Mr. Nixon	3326
Adjournment	3326

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Baetz, R. C. (Ottawa West PC)
 Breaugh, M. J. (Oshawa NDP)
 Callahan, R. V. (Brampton L)
 Curling, Hon. A., Minister of Housing (Scarborough North L)
 Dean, G. H. (Wentworth PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Gigantes, E. (Ottawa Centre NDP)
 Grande, T. (Oakwood NDP)

Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Grier, R. A. (Lakeshore NDP)
Harris, M. D. (Nipissing PC)
Hart, C. E. (York East L)
Henderson, D. J. (Humber L)
Hennessy, M. (Fort William PC)
Jackson, C. (Burlington South PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Johnston, R. F. (Scarborough West NDP)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
McGuigan, J. F. (Kent-Elgin L)
McKessock, R. (Grey L)
McLean, A. K. (Simcoe East PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Pollock, J. (Hastings-Peterborough PC)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Runciman, R. W. (Leeds PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Sterling, N. W. (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament
Monday, November 17, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, November 17, 1986

The House met at 1:30 p.m.

Prayers.

LEGISLATIVE PAGES

Mr. Speaker: I ask all members to join me in welcoming the second group of legislative pages to serve in the fall sitting of the second session of the 33rd Parliament.

They are Kristjan Ahronson, Renfrew North; Isabel Burns, Oshawa; Jennifer Bruno, Oriole; Katherine Dowse, Ottawa South; Joseph Fidilio, Scarborough West; Sharon Gordon, Sudbury East; Christopher Hess, Windsor-Walkerville; Treasa Levasseur, Nipissing; Gregory MacDonald, London North; Heather McGhee, York West; Allison Menzies, Humber; James Morgan, York North; Tracy Morkin, Lambton; Corinne Muccilli, Dovercourt; Mark Nasmith, Northumberland; Kathleen O'Neill, Sault Ste. Marie; Jackie Osmond, Mississauga East; Trevor Peterson, Durham West; Tracy Pratt, Oxford; Mark Smith, Frontenac-Addington; Marc Steyn, Kent-Elgin; Jeramie Whalen, Hamilton Centre, and Paul Yaroshak, Sudbury.

Please join me in welcoming our pages.

MEMBERS' STATEMENTS

LABOUR RELATIONS LEGISLATION

Mr. Barlow: As many members of this Legislature will recall, I introduced a private member's bill last June, which the members of the Liberal and New Democratic parties chose to defeat. Bill 45 was a proposed amendment to the Labour Relations Act that would have required a secret ballot vote for certification of a trade union when at least 45 per cent of the employees of the bargaining unit became members of the union. This would have freed employers, employees and the union from possible intimidation, coercion or interference.

If the Minister of Labour (Mr. Wrye) and his parliamentary assistant, the member for Yorkview (Mr. Polsinelli), who spoke on his behalf at that time, had not chosen to vote against this reform, the taxpayers of Ontario would not have to go to the expense of a hearing for Cambridge Canadian Foods. This hearing is as a result of the registered objections of many of this firm's

employees, who claimed they were coerced into union membership, while those in charge of unionization charged the employer with interference.

I do not know the cost of these hearings to the Ontario taxpayers, but I do know the dissenting employees have had to hire legal counsel and that the employer's legal bill is estimated to go as high as \$25,000.

AID TO DISABLED

Mr. R. F. Johnston: I rise to inform the House that I have done something rather extraordinary, and that is that as the critic, for the first time ever I have walked out of the estimates debate for the Office Responsible for Disabled Persons.

After the few hours I spent there, I realized that it was nothing but a hollow public relations function allowing the minister to get around and visit as many parties as possible and to send out as many pictures of himself as possible in a short period of time. However, he was incapable—not unwilling, but incapable—of answering basic questions about what was going on around the various ministries in respect of the disabled.

For instance, a major overhaul of vocational rehabilitation is being considered in the Ministry of Community and Social Services, and he knew nothing about what was going on, even though thousands of people who are disabled go through that program. He was not involved in the process and he said he was happy to wait until there was a report and, like any other minister, then have a look at it.

The member for York Centre (Mr. Cousens) then raised some questions about transportation, the answers to which showed that the minister knew little about what was going on in that area as well. I then asked him and his ministry staff whether they knew anything about Advocacy Ontario, which my leader had raised in the House as a leadoff question that day. He knew nothing about that or about a bill the Attorney General (Mr. Scott) is trying to produce, which I have seen and have a copy of.

He is powerless to act. He is just a sham. If the Premier (Mr. Peterson) is serious about the disabled, he will give the portfolio to one of his

heavy hitters, not to the member for Parkdale (Mr. Ruprecht), or he will give the member line ministry responsibility for some of the things he wants to change. Otherwise, he is useless to us all.

TRADE MISSION

Mr. Ferraro: It is my privilege to introduce to the House today a very important delegation, specifically, a trade mission from the state of Florida. We all remember Florida. That is the place where we all wish to be, come January, February or March.

The trade mission is headed by Glenda Hood, the commissioner for the city of Orlando, and I would ask Miss Hood to please stand up. As well, we have Carolyn Fenell, director of the Greater Orlando Aviation Authority, and Tom Slattery from the Bureau of International Trade and Development of the state of Florida.

I know the delegation will find our province very accommodating. It is a pleasure, on behalf of the government and the whole House, to welcome them to Ontario.

DEATH OF FORMER MEMBER

Mr. Rowe: I rise today to pay tribute to a former member of the Legislature, Thomas Ray Connell, who passed away Friday last. Mr. Connell was successfully elected to this Legislature on five consecutive occasions, beginning in 1951. He served as Minister of Public Works from 1958 to 1969, retiring from politics in 1971.

Upon retiring from politics, he turned to his lifelong love of horse racing and was a key player in founding Flamboro Downs Harness Race-track, a first-class racetrack near Dundas, Ontario. Ray, as he was affectionately known in the racing world, was a gentleman in every meaning of the word, a great sportsman, a true politician and a very caring human being.

I am sure all members will join with me in expressing our deepest sympathy to Ray's wife Irene, his son Allan and his daughter Brenda.

Hon. Mr. Nixon: Mr. Speaker, I wonder whether it would be permissible for other members to say a word or two about Ray Connell at this time.

Mr. Speaker: I am certain we could get unanimous consent.

Hon. Mr. Nixon: I want to join with the honourable member who has brought this to the attention of the House. Ray Connell was a long-serving member. I believe he was first elected in 1955, or perhaps earlier than that. He was a farm neighbour of ours; so I knew him, and

my father before me, of course, knew him, as did most of the farm community in southwestern Ontario. Long before he became actively involved in politics, he had established a remarkable reputation as a leading farmer, and he and his family were highly respected and much loved.

I found him to be completely fair as a politician and nonpartisan in a healthy sense. He could always defend the good old Tory party, but when it came to dealing with issues, he always did it on the basis of fairness, which sometimes meant he was not four-square with his Tory pals. As a new member myself, I found him to be remarkably helpful, when he was substantially senior and a long-serving member of the government of the day.

When he decided to go into the racing business he was very hospitable to many of us, and we had an opportunity to go down to see the fine facility that is extremely important in the racing industry of southwestern Ontario and heavily patronized.

He will be missed. He was much loved by everyone who knew him. I join with the member in extending our condolences to Mrs. Connell and the family.

Mr. Martel: I guess I was one of those who first got to know Ray Connell. He had been here a number of years by the time I arrived, but as one of the senior ministers of the crown, he was always of tremendous assistance to new members. He was always accessible and, as my friend the member for Brant-Oxford-Norfolk (Mr. Nixon) just said, always fair and always helpful.

I can recall long chats with him. Those were the days when we used to sit half the night. In some fit of silliness, we would sit until two or three o'clock in the morning. It gave an opportunity for members to get to know each other better. That occurred on many a late night here.

Ray Connell was there. He loved to talk about the nags. I should not call them nags; I understand his horses were well above and beyond that terminology. He and my Conservative friend's grandfather, I believe, had a great deal in common about the nags. I also knew my friend's grandfather.

We got to know Ray Connell. We liked him because he was honest, straightforward and fair. He will be deeply missed by anyone who knew him. On behalf of our party, I would like to join my two colleagues in extending our sympathy to the family.

Ms. Caplan: I would also like to address a few remarks to the Connell family. I met Mr. Connell

when I was at the very young age of 21. It was the first time I had the opportunity to exercise my vote. It was before I realized I was a large-L as well as a small-l Liberal and, in fact, I voted for Mr. Connell when I was in his riding.

He was a fine gentleman, and I echo the words of our House leader as I express to this House my own regret at his passing and share with members on all sides of the House the condolences and deep respect I felt for Mr. Connell, who was my member.

LAND TRANSFER

Mr. D. S. Cooke: I rise to defend the privileges not only of myself as a member from the community of Windsor, but also of my colleague the member for Windsor-Walkerville (Mr. Newman).

Last week the Minister of Labour (Mr. Wrye) and the Minister of Housing (Mr. Curling) decided to fly down to Windsor after a cabinet meeting. During that cabinet meeting, approval was given to a land transfer that will result in the removal of the tracks in Windsor, with park land replacing them.

I would like to point out to the House and the Speaker that, if my understanding is correct, the member for Windsor-Walkerville was not invited to travel down for that major announcement even though the tracks are in his riding. The major land parcel that is being transferred to Canadian National is in my riding, and I was not informed either. I had to find out through the press.

The member for Windsor-Sandwich, who is the Minister of Labour, used to get up on his feet quite often when he was in opposition and complain about how Tories made these kinds of announcements without talking to local members. He should have presented a better example to members of his cabinet and to the House in sharing this grand announcement for our community, which all of us have worked on, some of us, myself included, long before the member for Windsor-Sandwich was even elected. The member for Windsor-Walkerville worked on this matter for years, long before the Minister of Labour even lived in Windsor.

I thought it was my obligation to bring this matter to the attention of the House.

RECOGNITION OF DISABLED ATHLETE

Mr. Reycraft: We were all recently honoured and privileged to have Rick Hansen with us in the Ontario Legislature. I know all of us were

touched by his enthusiasm, goodwill and determination.

Today I would like to honour a young man from Middlesex, whom I believe demonstrates all that Rick Hansen exemplifies. Christopher Daw from Strathroy is 16 years old and suffers from a rare congenital disease. Because there is a complete absence of muscle in Chris's legs, he is unable to walk. However, his accomplishments far surpass those of most of us.

Chris's athletic achievements include establishing numerous Ontario records and being selected as the Canadian team captain at the first world games for disabled youth, which were held in England in August.

Earlier this month, Chris participated in the eighth Pan-Am Wheelchair Games in Aguadilla, Puerto Rico. He was the youngest athlete on the Canadian team. In Aguadilla, Chris earned three gold and two silver medals in addition to placing well in several other events.

Chris is looking forward to wheeling with Rick Hansen next Saturday, November 22, from Chatham to Wallaceburg during Rick Hansen's Man in Motion tour. Christopher is a fine example of what the disabled are capable of. We look to him, not in terms of what is unable to do, but in terms of the tremendous things he can do. His accomplishments and spirit provide a great source of inspiration to all he has touched.

COURTHOUSES

Mr. Bernier: Last week the Attorney General announced there would be a full review of the courtroom facilities in 20 judicial districts of Ontario. I invite the review committee to visit the Kenora riding and to look at the courtroom facilities in the towns of Sioux Lookout and Ear Falls.

For members' information, the current courtroom facility in Sioux Lookout is the main hall of the Royal Canadian Legion with no separate room for consultation. Everyone is put in one particular room. The dignity of a court is certainly not upheld.

In the town of Ear Falls, which has nine police officers for a population of 2,300, there are no courtroom facilities. Court is held in the town of Red Lake, some 45 miles away, two days every two weeks. This means the Ontario Provincial Police officers, those charged and the witnesses must travel that distance over that long period and stay in the community while court is being held. It is very inefficient and costly and does not give any dignity to the court, which should be

exemplary all across this province and particularly in northern Ontario.

13:48

STATEMENT BY THE MINISTRY AND RESPONSES

NANSEN MEDAL

Hon. Ms. Munro: It is with great pride that I rise today to share with my colleagues news of a singular honour that has come to the people of Canada.

Last Thursday evening, I had the privilege of attending a ceremony at which Governor General Jeanne Sauvé accepted the Nansen Medal on behalf of the people of Canada. Since 1954, the Nansen Medal has been awarded by the United Nations High Commissioner for Refugees for outstanding services to the cause of refugees. In receiving this award, the Canadian people take their place alongside other winners such as Eleanor Roosevelt, Queen Juliana of the Netherlands and King Olav V of Norway.

This year marks the first time the Nansen Medal was awarded to an entire nation and its people. At the ceremony, Jean-Pierre Hocke, the United Nations High Commissioner for Refugees, said the award recognized the "major and sustained contribution" by Canadians to the cause of refugees.

Ontarians can take a special pride in this award. More than half of all refugees coming to Canada settle in Ontario. Ontario offers hope to those seeking freedom from fear and help for those seeking a life with meaning.

The people of Ontario must be congratulated and thanked for the humanitarianism which they have shown unfailingly to newcomers to this province. Their willingness to help refugees settle here has undoubtedly in part contributed to Canada's winning this award.

Mr. Grossman: With some pride, I join the minister and all the people of Ontario in sharing this award. As the member for a riding that has traditionally welcomed a large number of people who have immigrated to Canada as refugees or otherwise, I would like to take the liberty to point out, as would my colleague the member for Bellwoods (Mr. McClellan), a little of the full background, which is often misunderstood.

I take particular pride that just outside this assembly, the Hungarian community has erected a plaque commemorating their refugee plight in 1956 and especially recognizing the contributions of the then member for St. Andrew riding, as it was then my father, and the contributions of

the then member for Bellwoods, the Honourable John Yaremko.

Those two people led the way here and in other places when it was not as politically popular to endorse these causes. There certainly was not the degree of infrastructure of government activities in place, such as Welcome Houses and other programs assisted by significant government funds. Thus, it is with particular pride that I acknowledge this award to all Canadians and all Ontarians. I would also like to acknowledge the small role played by members of my party in allowing that process to unfold as it should.

I wish the minister had found time this afternoon to acknowledge some of the other efforts. It would be unfair to accept this without recognizing not only the Hungarian refugee situation in 1956 but also, among others, the most recent large-scale example: the flight from Vietnam and other places in southeast Asia, which resulted in the massive movement to this country of the refugees known as the boat people. The role played by the then federal minister, the Honourable Ron Atkey, despite pressure and criticism, stands as a beacon for those things that have always represented the very best of what Canadians have believed concerning those refugee situations.

This afternoon, as we acknowledge the receipt of this award, I would like to remind all those present that people such as my father, John Yaremko and Ron Atkey sometimes faced more than a little bit of scepticism and criticism for the significant efforts they were mounting, but they and others like them did absolutely the right thing in laying the groundwork for the entry of refugees into this country.

Those efforts stand in remarkable and important contrast to the treatment afforded by the federal government during the Second World War, which resulted in thousands of Jewish refugees being specifically excluded—not inadvertently and not as part of an overall rule—from the opportunity to immigrate or flee to Canada as refugees and thus to save their lives.

If we have come a long way since those years, the progress is the result of the efforts of the people who played a special role; most important, it is the result of Canadians standing by those few brave political leaders who had the courage to fight public opinion, to turn it around and to hang tough in allowing that refugee flight to occur.

Happily, as a result, the situation in 1986 is remarkably different from the one that caused part of the horrible tragedies we faced from 1940

to 1945 as a result of the intransigence of the then government in Ottawa in not allowing a large group of refugees to save their lives by fleeing.

On this occasion, I join the minister in acknowledging receipt of this award and congratulating all Canadians, but I also want to remind the minister and others of a little of that history. Very much of that history had a whole lot to do with members of the Progressive Conservative Party of Ontario and of Canada.

Mr. Rae: I cannot for the life of me see the point in trying to turn this into a partisan exercise. Of course, we share the pride of the Governor General in accepting on behalf of the people of Canada an award given to the people of Canada, and it is in that spirit that the award was given. I do not think it is appropriate for the government of Ontario or for the minister to try to associate themselves with Eleanor Roosevelt, Queen Juliana of the Netherlands or even King Olaf V of Norway. The award was given to all the people of Canada.

In that spirit, I would like to respond to the comments made by the minister as well as to the statement made by the leader of the Progressive Conservative Party, who quite rightly focused a bit of attention on the history of immigration and refugees and their relationship to this country. As he pointed out quite rightly, those of us who look back and share experiences with a great many people who are now here have to ask ourselves some very serious questions.

The leader of the Conservative Party mentioned the systematic rejection of those Jews in central Europe, Germany, Poland, Czechoslovakia and Hungary who were attempting to get out of Europe in the 1930s and 1940s and found the Canadian door was shut. It is worth remembering that Chinese immigration to this country was illegal for decades before 1948. It is worth pointing out that family reunification for those Chinese who came to Canada in the 1880s was illegal and made impossible.

In a spirit of pride, the people of Canada recognize that we have learned from that history of discrimination and that we are now attempting to right some historical wrongs. That attempt on our part has been recognized by the United Nations High Commissioner for Refugees, something in which we can all as a nation take a certain pride. However, let it not be complacency. Let us not forget there are literally tens of thousands of family members overseas who still cannot be reunited with their families here in Canada.

Let us not forget the federal government imposed visa requirements on those attempting to come out of many countries in Central America and Latin America. As politically oppressed as they are, they are unable to come to this country and claim refugee status without a great deal of difficulty. Let us not forget there are still refugee camps in Hong Kong and in many other parts of the world where people still cannot get entry into this country.

So yes, as Canadians—not for a moment as members of a government or an opposition—we look with pride upon the fact that the Governor General has accepted on behalf of all the people of our country the Nansen medal, but let us not accept this medal with any sense of complacency. Let us see it as a recognition of what we are doing, but let us also see it as a goad for us to do so much more in recognizing the needs of those in the world who would like to make Canada their home but who cannot do so because of the practices of governments that fail to recognize those needs.

13:58

ORAL QUESTIONS

NUCLEAR POWER PLANT

Mr. Grossman: I thought I had best return to the chamber before the member for Fort William (Mr. Hennessy) took my job and my seat, as he was threatening to do.

I have a question for the Minister of Energy. The minister is aware that the chairman of Ontario Hydro, a person this government has endorsed as a good chairman of Hydro, has indicated a new plant will have to be decided upon within two years. He also knows his Premier (Mr. Peterson) is quoted in today's Toronto Star as saying: "There is no crisis looming on the horizon. There is a lot of lead time. We will be discussing it over the next few years, but no immediate decisions have to be made."

On the other hand, the minister is quoted in today's paper, in the same edition, as saying he tends to agree with Tom Campbell's assessment of Ontario's power needs and it is a very important matter requiring study by the government.

Can the minister tell us whether he still tends to agree with Mr. Campbell's assessment or with the Premier's assessment that no decision has to be made?

Hon. Mr. Kerrio: On the whole aspect of providing power to the people of Ontario, my message was very clear and the honourable

member has not seen fit to repeat it here. It was that as long as we are going to complete Darlington, we have a great deal of breathing space, but we should look at what has to be done for the future. Darlington looks as if it is going to take us to the 1990s or somewhat beyond. That was very clear in the article. If he wants to read selectively from an interview in which many questions were posed, I suppose that is his prerogative.

Mr. Grossman: I remind the minister that Mr. Campbell was dealing with Darlington, and he said that notwithstanding Darlington, a decision was going to have to be made in the next two years with regard to building another plant. There is nothing selective about what I have read. Mr. Campbell says we have two years with Darlington. The Premier says we have a lot more than two years with Darlington. In the paper today, the minister said he tends to agree with Mr. Campbell. It is fair for us in this Legislature to ask which view the minister endorses, Mr. Campbell's or the Premier's, because they cannot be reconciled.

Hon. Mr. Kerrio: I think I answered the question. I suggest to the member that we have a fair amount of breathing space to make a very important decision about the future power requirements of this province. I do not think that is hard to understand. It is going to go on. There are many options and I have spoken about many of them.

Mr. Grossman: I invite the minister to remember the recommendations of the select committee dealing with Hydro, which suggested Hydro ought to be made more accountable. I refer him to his own response, and I quote directly, "They"—being conservation—"are very high on my list of priorities and we are hoping we can convince Hydro that they should be on theirs."

We have here some of the previous statements the minister made when he was opposition critic. "Liberal Seminar Slams Hydro's Nuclear Policies." We have a press release he put out in July 1982 calling Hydro a "Goliath out of control." We have December 30, 1984, where he says, "Ontario Hydro is Called a Monster on the Loose." He says here: "We put them in charge of conservation. That is a joke." Finally, he says, "Ontario Hydro needs a full overhaul," including a new chairman instead of Mr. Campbell.

Mr. Speaker: Question.

Mr. Grossman: How does he reconcile all those brave words he once uttered with his very

weak-kneed, almost pleading request that he is hoping he can convince Hydro that conservation ought to be on its list of priorities?

Hon. Mr. Kerrio: Ontario Hydro happens to have some of the finest people in the utility business—

Interjections.

Hon. Mr. Kerrio: I should start again.

Ontario Hydro has some of the finest people in the utility business in the world. We are talking about the redirection of Hydro, conservation, maximizing hydraulic and doing many things, and Mr. Campbell readily accepts that. We are having the kind of co-operation that is going to be needed to go forward from the position of Ontario Hydro in a conservation, energy-efficient way. I am very confident that is going to happen.

Mr. Grossman: He is confident, but he will do nothing about it.

Mr. Speaker: New question.

Mr. Grossman: All those people he has said were incompetent and insensitive before he took office.

PROPERTY ASSESSMENT

Mr. Grossman: My second question is for the Treasurer and Minister of Revenue. He will recall he said specifically on October 26 that he would not release the impact study on market value assessment in Metropolitan Toronto until Metro endorsed market value assessment. Subsequently, on October 28, two days later, Metro not only did exactly that but also requested the release of those data.

Can the minister explain why he believes it is better to leave Toronto taxpayers in the dark until they are surprised with new assessment bills than to be free and open and tell them what their new charges might be?

Hon. Mr. Nixon: The honourable member is aware that the resolution from Metropolitan Toronto does not call for reassessment until 1988, or perhaps even 1989. There will be at least two taxation years before that, in which assessment might be appealed under the old system. It is the judgement of the officials in the Ministry of Revenue that it is not in the best interests of either the taxpayers or the municipalities that the information be made public.

The Leader of the Opposition is aware that my predecessor as Minister of Revenue, the member for Durham West (Mr. Ashe), his own colleague in the House, agreed with that assessment.

Mr. Grossman: I remind the Treasurer of his leader's undertaking that this would be a government without walls or barriers and that all things would be open. I remind him that Metro council, I believe on a motion by councillor June Rowlands—someone who will be well known to the Treasurer but never in this House—passed the motion requesting the information.

Metro council is prepared to have this information released publicly. It is prepared to suffer whatever impacts flow from assessment appeals. It is Metro council's judgement that it should proceed in a couple of years, that the information should be available and that whatever flows to the taxpayers out of the appeals should flow. Why is the Treasurer playing Big Brother and telling the municipalities they cannot share potential taxation with their taxpayers?

Hon. Mr. Nixon: I think it is for the same reason that the member for Durham West, my Conservative predecessor, felt the information should not be made public. I repeat an answer I gave last week, and that is that the officials of the Ministry of Revenue are consulting with the people in the Metro chairman's office about this matter. We do not want to keep from the officials of Metro Toronto any information they feel would be helpful, but we want to point out the difficulties they may experience in this regard.

Mr. Grossman: It is a remarkable circumstance when the Treasurer's only answer is to hide behind the statements made by one of my colleagues. The Treasurer is in office now. He answers for what he wants to do.

Hon. Mr. Nixon: He is a very knowledgeable person.

Mr. Grossman: That is the first accurate thing the Treasurer has said, by the way.

I had a chance to read the Treasurer's comments when he responded to my colleague the member for Mississauga East (Mr. Gregory) last week on this very topic, and it dawned on me that the Treasurer's response was very interesting. In essence, the Treasurer is saying he fears that between now and 1989 there may be too many taxpayers' appeals looking for lower tax rates.

Does the Treasurer not realize he is saying he does not want to give tens of thousands of Metro Toronto property owners the opportunity to get lower taxes by actually appealing what may be unfair assessments? How can he justify hiding information and standing in the way of the right of thousands of people to get lower taxes, taxes to which they may be entitled?

Hon. Mr. Nixon: Mr. Speaker, I know it is obvious to you, if not to all the members in the House, that if market value assessment were to go forward this year, of course this information would be made public. If it is not going to go forward for two years, then anybody who might have a lower assessment would receive that, but anybody who might have a higher assessment would not get it.

In fact, this is a matter of concern to the municipalities specifically and not basically to us. We are interested in fairness and equity for everybody, both those who should have a lower assessment and those who should have a higher assessment. On this basis, we are trying to assist Metropolitan Toronto in every way we can.

Interjections.

14:10

Mr. Speaker: I remind the member for Scarborough Centre (Mr. Davis) that he is not the member for Brantford (Mr. Gillies).

NUCLEAR POWER PLANT

Mr. Rae: I have a question for the talking furnace, the Minister of Energy.

Interjections.

Mr. Rae: I am surprised at the number of people who looked my way, Mr. Speaker.

In answering questions earlier, the minister said he thought there was breathing space with respect to future plants. Can he tell us how much breathing space he thinks Ontario has with respect to a new power station?

Hon. Mr. Kerrio: We have had very good advice from the select committee on energy and it is going to play a major role in where we are going. Everyone in this House has to be somewhat concerned about where the whole process is going to end. We are going to do our safety study and many things to produce power for this province. It is fortunate that it is well in hand.

Mr. Rae: We are getting a different story, not only every day but in practically every answer. Since the minister is responsible for Ontario Hydro in this Legislature, can he explain the difference between the forecasts Mr. Campbell was making over the weekend and the forecasts Hydro was making as recently as eight months ago to the select committee, of which the minister has just spoken so well.

Hydro told the select committee that by December 2004 its generating capacity would still be matching demand; yet now it is saying there is going to be a crisis by the mid-to-late

1990s. What has happened at Ontario Hydro in the last eight months to so change its statements? What has happened to its forecasts? What is the minister doing to exercise some kind of control over Hydro so that we do not continue to get the same kind of upping the ante we have had over the last 10 to 20 years with respect to expansion from Hydro?

Hon. Mr. Kerrio: The Ministry of Energy has been very involved in load demands and projections. In many instances, those have been quite accurate. I am not going to quarrel with numbers that come forward until I am given some opportunity to study those numbers and decide whether they have validity or not. I said I am very willing to examine the whole scenario and find out how those numbers were developed and where they are going to take us.

Mr. Rae: We have a Minister of Energy who does not know what Hydro has been saying and who is not prepared to answer for Hydro in this Legislature with respect to the major statements it is making about the future.

I have a picture here from the minister's latest annual report. It is a picture of the deputy minister in the company of Dudley the Dragon, the lovable, sneaker-clad star of the conserving kingdom. I gather Dudley the Dragon is the ministry's lovable mascot. It is perfectly clear what has happened. The barking dog, the lovable mascot Dudley the Dragon and the minister have all been eaten alive by the talking furnace over at Ontario Hydro.

The minister has nothing to say when it comes to basic questions. Why is he not leading and showing the way with respect to Hydro, finally reining it in and telling it what to do rather than simply responding the way he has in the House today every time it ups the ante?

Hon. Mr. Kerrio: The fact that we are here and they are over there shows that the people of Ontario trust us to do what needs to be done to provide the manufacturing centre of Canada here in Ontario with reliable power for jobs for our future, for heating and for doing all of those things we do with a power base that is indigenous to Ontario.

Interjections.

Mr. Martel: They have him kowtowing.

Mr. Rae: It is going to make Invasion of the Body Snatchers look like a tea party. That is what has happened over there. The minister has just been captured. We wish him well as he sinks.

Mr. Speaker: Question.

NURSING HOMES

Mr. Rae: In the absence of the Minister of Health (Mr. Elston), I have a question for the Premier. Can he tell us how many of the 9,802 violations of the Nursing Homes Act regulations that have been cited recently in a government report have led to charges and convictions?

Hon. Mr. Peterson: The answer to the member's question is no, I cannot.

Mr. Rae: Unfortunately, neither could any of his predecessors. The answer to the question, since the Premier does not appear to know it and needs some explanation as to how it could have happened, is that there have been four—that is four convictions, and there have been a total of 86 charges.

Will the Premier tell us how it is that all the charges that have not led to convictions now have been delayed? The trials have been delayed for more than a year. The major bone of contention is regulations that have been thrown out by the courts in the Elm Tree case, of which the Premier is aware. That happened 13 months ago. Why has the government done nothing in the past 13 months to update and change the regulations and change the act so that it will be possible to get charges and convictions under the Nursing Homes Act in this province?

Hon. Mr. Peterson: If my honourable friend knew the answer, why did he ask me in the first place? I cannot imagine that the member could be sinking into a mentality where he would try to embarrass the government when he already knew the answer. Why does he not ask me things he does not know? Perhaps I could then help him out in that respect.

With respect to his second question, I assume he knows the answer to it as well. I can tell the member that the minister is currently working on changes to the act. I expect he will see them reasonably shortly. I assume they will probably please the member.

Mr. Rae: I wanted to see whether the Premier knew what was going on in the ministry, which at one time he said was a problem he wanted to do something about. It is perfectly apparent now that neither he nor the Minister of Health wants to do anything about this problem. They have been in power for 15 months and have done absolutely nothing to deal with it.

When there was a problem with the Ark Eden Nursing Home in 1983, as he will be aware it took only 11 days for this House to agree on legislation under which eventual charges could be laid. Can he tell us why it took only 11 days for

the House to deal with that issue and it now has taken 13 months for the government to respond to a court decision with respect to the Elm Tree Nursing Home, which has led to delays and no action with respect to all the outstanding charges against several nursing homes in the province? If it was possible in 1983, can he explain why it is not possible to do something with respect to the act in 1986?

Hon. Mr. Peterson: I apologize to my friend. I am not in a position to answer his question in detail. I will obviously bring it to the attention of the minister. I assume he will be here tomorrow. He can respond and share the information with him. As I said to the member, the minister is currently looking at changes to the Nursing Homes Act that will rectify a number of these matters.

RENTAL HOUSING

Mr. Gordon: I have a question for the Minister of Housing. He has been the minister for about a year and a half, yet we have seen vacancy rates in the province go down and further down. The vacancy rate in the city of Toronto right now is one tenth of one per cent. What is he going to do about it?

14:20

Hon. Mr. Curling: I thought I had answered the honourable member's question on a number of occasions. The report he is referring to is on a six-month lag. In the last six months, I have been busy opening and turning the sod on new projects we have put forward. As a matter of fact, I will offer some of the jobs to him to go out and turn some sods for me. In the last 15 months, we have had 16,000 approvals of nonprofit rental housing. We know this is not sufficient to meet the backlog that was created. Furthermore, we have 3,000 more to house hard-to-house individuals.

Mr. Gordon: We know the minister is putting out approvals, but we also know there is not the building going on in this province that there should be, given the kinds of vacancy rates we are seeing. Let us be specific. In the city of London in the first half of 1986, the population of 260,000 has more units going up than in Metro Toronto. Can he tell us in this House why he cannot seem to build anything in Metro Toronto? When is he going to take care of the people in this part of the province? People now are paying key money. People now are facing all kinds of hardships. We have more people dying in cold and freezing conditions. When is he going to do something about it?

Hon. Mr. Curling: If I am hearing the member correctly, is he saying those units I put up in the north should not be there? There are conditions of terrible neglect in Sudbury and in Thunder Bay, and we have put units there. Is he saying we should take them from there and put them in Toronto? I can tell him the people in Toronto are very pleased with what we are doing with the backlog of neglect that was there. We will continue to address the north, the west, London and Toronto.

NUCLEAR SAFETY

Mr. Charlton: I have a question for the Minister of Energy. The minister announced on August 20, 1986, that the government had decided to accept the recommendation of the select committee on energy that the Minister of Energy should appoint an independent panel of internationally recognized experts to review, on a priority basis, the safety of the design, operating procedures and emergency plans associated with Ontario Hydro's Candu nuclear generating plants. The panel was to prepare a report to the minister. He also went on to announce that the panel would start its work this fall.

Can the minister tell us when he intends to announce the appointment of that panel and the commencement of its work?

Hon. Mr. Kerrio: In the light of the incidents that led to the whole situation that would have us examine the safety of the Candu reactors, we responded in turn to the committee's report and suggested we were very willing to have our reactors examined by world-class scientists. We also were taking into account the federal government's participation. I am not suggesting this held it up in any way, but I am pleased to report that the honourable minister, Marcel Masse, has agreed that the federal government is very willing to participate in this whole operation.

I would like to share with the House and with the member who posed the question that this is ongoing, we have names presented, we are in the process of choosing the panel at this time, and when we said this fall, of course, it is in the immediate future.

Mr. Charlton: In the light of the other questions that have been put to the minister today and the fact that he would not say exactly what amount of breathing space we have in terms of our electrical energy planning process in Ontario, will he assure this House in absolute terms that there will be no major decisions made with

regard to any further expansion of our nuclear generating program until that nuclear safety study is completed?

Hon. Mr. Kerrio: I have undertaken a study that is going to be very important and significant. I have also put before the House many initiatives we are looking at that have to do with future power generation in Ontario, and the list is growing. It has to do with increased system load factor, operating at a reduced margin, operating closer to the limit of the 20 per cent surplus, talking about additional hydraulic capacity, cogeneration and conservation. All of those things are being taken into account simultaneously with the examination of the Candu reactors.

In fact, I am pleased that the honourable leader of the third party thinks it is significant enough to bring these questions to the Legislature. We will be very pleased to share with him any of the information we have as it develops.

RENTAL HOUSING

Mr. Cousens: I have a question for the Minister of Housing on the hostel situation. On March 22, 1986, the Minister of Housing declared in a Toronto Star article that he would solve the housing crisis for the people who were in need, especially for hostels and that kind of shelter, by the end of this year.

Since then, he has created something like 3,000 units, but this does not begin to address the needs in Metro Toronto alone, where there is a 30 per cent to 35 per cent increase in the number of men using hostels, so that there are between 12,000 and 14,000 in this city alone. However, it is not just Toronto. We are seeing it in London, Ontario, where there is a 30 per cent to 35 per cent increase in the use of hostels. We are seeing it in Ottawa, where they are at 100 per cent capacity for women who are staying in hostels. We are seeing it in many of the cities.

What is the minister doing to alleviate this crisis?

Hon. Mr. Curling: The honourable member knows my ministry addresses permanent housing needs. Concerning the 3,000 units he mentioned, we know that all the units we put in place in 1986 and 1987 will never satisfy the backlog for permanent housing needs in this province. While we are addressing those things, my honourable colleague here is looking after the hostel part of that situation. If the member wants to direct his question to him, he can tell the member opposite about the exciting programs he has in that area.

Mr. Cousens: At one point, the minister says in this article that he wants shelter for all by the

end of 1987. Now he is passing the buck to the Minister of Community and Social Services (Mr. Sweeney), who cannot do it alone. He requires the support of his committee members and the support of cabinet.

The problem is especially bad because we are laying the load on our volunteer agencies, which are having to provide the services that would otherwise be done by a responsible government. What is the minister doing to come forward with a comprehensive program to help the homeless?

Hon. Mr. Curling: The member asks what I am doing regarding housing. As he knows, the first comprehensive housing policy that ever addressed this province was done by this ministry. If that is not the right direction, I do not know what is. I do not know what the ad hoc situation is.

As well, my honourable colleague has programs that address those homeless needs. We do have—

Mr. Cousens: He said he needed you to help.

Hon. Mr. Curling: Of course we do. We work in concert with the Ministry of Health, the Ministry of Community and Social Services and the Ministry of Housing to address those needs. We have done much more. As a matter of fact, we are able to work together much better than all the member's group there, which had a much larger mandate and was unable to address those needs. We are doing something.

Mr. Cousens: On a point of order, Mr. Speaker: He did not answer the question. He never does.

Mr. Speaker: I do not know where that comes under the standing orders.

14:30

PENSION FUNDS

Mr. McClellan: I have a question for the Minister of Consumer and Commercial Relations. I am sure he is aware that in October of this year, 144 millworkers at Smooth Rock Falls were laid off by Abitibi, effective December. This is their 1986 Christmas present. The minister will remember I asked him a question about Abitibi earlier in this session.

In view of the fact that Abitibi has diverted \$10 million in so-called surplus pension funds to cover the cost of its current yearly pension contributions while the employees have had to pay five per cent of their wages by way of pension contributions, what advice does the minister have to the 144 millworkers who were laid off, whose money was taken out of the

pension fund and for whom Abitibi is refusing to do anything by way of a decent cushion or early retirement or decent severance pay?

Hon. Mr. Kwinter: The member will know that before anything can be done to anyone's pension plan, application must be made to the Pension Commission of Ontario. That has been done. The pension commission examines the facts in the case, notice is given, under our direction since last March, that any removals have to be done, and the workers have the option of raising the question and taking it to court.

Mr. McClellan: I am sure the minister did not intend to give us such incorrect information, but surely even he knows that if the company diverts money from the pension fund to cover the workers' service contribution, it does not even have to apply to the pension commission; they just do it, and that is exactly what they have done in this case.

As a supplementary, in view of the fact that the cabinet spent a whole day on this question yesterday and Orders and Notices is larded with such important pieces of legislation as the Oleomargarine Act, the Brucellosis Act, the Off-Road Vehicles Act and the Upholstered and Stuffed Articles Act, can the minister tell us how much longer he intends to watch the House misusing time, wasting time, marking time, delaying and doing relatively inconsequential things? When is he going to bring in this legislation so that, if he will not do it, at least the two opposition parties can move amendments to put an end to the legalized theft of workers' pension fund moneys?

Hon. Mr. Kwinter: The member will know that if there were a deficit in the plan, the company would have to make that up. He will also know that no funds were taken out of the plan. The funds stayed in the plan, and that is quite in keeping with the Pension Benefits Act.

To answer his supplementary question, we will be bringing that bill forward very shortly.

ALZHEIMER'S PATIENTS

Mr. Dean: I have a question for the Minister of Community and Social Services. I am sure the minister knows that the care of the victims of Alzheimer's disease is placing a tremendous burden on the province's nursing homes, which cannot cope with the 24-hour supervision and care these people require. The minister also knows that in major cities such as Toronto, there are no centres for Alzheimer's victims and very few day programs.

Given the need for improved services in this area, why will the minister not adopt this party's recommendation and immediately commit \$15 million towards the care of Alzheimer's victims and the development of programs to assist them?

Hon. Mr. Sweeney: This government has allocated \$4 million in the past 12 months for a number of pilot programs in various communities across the province designed to discover the best way we can work with families of Alzheimer's victims and to create very small community-based models to house and to provide supportive service to Alzheimer's victims.

The member might also be aware that some of the homes for the aged around the province—for example, Providence Villa right here in Metropolitan Toronto—have a special unit just for Alzheimer's victims. In fact, we are moving in that direction right now.

Mr. Dean: In spite of what the minister has just recounted as his small program in this direction, I want to know what action his government has taken to follow through on the recommendations of the Nursing Home Residents' Complaints Committee that the Ministry of Health set up a demonstration project for the care of Alzheimer's victims.

Hon. Mr. Sweeney: Surely the member is aware that our ministry is not responsible for the operation of nursing homes. I am quite sure my colleague the Minister of Health (Mr. Elston) is working on that end from his perspective. I am responsible for the operation of homes for the aged, for community-based projects and for group home projects. In all three of the areas for which this ministry is responsible, we are doing something.

The second point I make to the member is that even the medical people who are most closely associated with victims of Alzheimer's disease agree there is a tremendous lack of knowledge as to exactly how best to provide service to this group of people. They were therefore most appreciative and very much welcomed the \$4 million that is available for the first time in the province for a range of community-based projects to assist families and individual victims of Alzheimer's disease. We are making some important initial moves.

RESIDENTIAL RENT REGULATION LEGISLATION

Mr. R. F. Johnston: My question is to the Minister of Housing. Although he has backed away officially from the four per cent guarantee in the accord on rent review, the minister has

continually said he expects the average rent increases to be only in that four per cent range.

What does he say to the tenants of Keewatin Management Corp. on Pharmacy Avenue, in one of the largest high-rise developments in my riding? They recently received letters encouraging them to pay an increase of six per cent, effective January 1, 1987, which they presume will be based on a calculation of the inflationary index through the minister's Bill 51.

Hon. Mr. Curling: I do not know whether those buildings are post-1975 or pre-1976 buildings, but in Bill 51 we are asking that—

Mr. R. F. Johnston: Pre-1976.

Hon. Mr. Curling: If they are pre-1976, the member knows there is a guideline of four per cent. If the increase is beyond that, I presume the honourable members will be giving us their co-operation so we can put Bill 51 in place in time so they will be protected. If the landlord is asking for an increase beyond the guideline, he has to justify it before the Rent Review Hearings Board.

Mr. Reville: The minister will have met today, as I did, tenants from the Millside Towers in Milton who were unfortunate enough to inhabit a Bill Player, Saturday-night-special building. They have been dunned for 15 per cent increases all the while they have been expecting the government to deliver the four per cent it promised. Did the minister acknowledge to those tenants today that it is unlikely they will get back the difference between the 15 per cent they are now paying and the four per cent he promised?

Hon. Mr. Curling: When I met with members of the Millside Tenants' Association I assured them that with the co-operation of my friend the member for Riverdale (Mr. Reville) and that of the official opposition, the four per cent for that building will be retroactive to August 1, 1985, if we get that bill through, and I am confident it will go through.

The notice to that group was given in July or something like that, and it takes 90 days to be effective; so it will go beyond August 1, 1985. I can reassure those tenants that the four per cent will be effective. If the landlord is seeking more than the four per cent, he will have to come before the Rent Review Hearings Board.

14:40

SUNDAY TRADING

Mr. Gordon: I have a question for the Solicitor General. On Friday the Sudbury Star, our daily newspaper, reported that Sudbury

grocers were going to stay open on Sunday, and that is what they did. A & P and Loblaws were open, and Food City representatives have said it will be open next weekend. I would like to quote something the president of Loblaws said in a news release. "The absence of political and judicial leadership on this issue has opened the floodgates...."

Is the minister going to stand up for those constituents of mine, the retail employees and the people in the Sudbury region who believe Sunday is a day of rest and a day for families and worship? Is he going to put some teeth in the Retail Business Holidays Act to make it financially a disincentive for these types of businesses to stay open on Sunday?

Hon. Mr. Keyes: The disincentive is there at the moment. As members know, we are awaiting that much-talked-about Supreme Court hearing. The three named stores opened in many centres yesterday in many parts of the province, including my own city. If the member checks, he will find charges were laid in a majority of the centres across the province, as is appropriate. We uphold the law as it stands today. Until the Supreme Court rules otherwise, we will continue to ask that charges be laid against all offenders. I for one hope that when it comes back supporting it, a rash of court cases will bring back those fines of \$10,000 a day for being open.

Mr. Gordon: Yesterday I received a call from a woman who was very upset. She works for a retail food store that is staying open. She asked me: "Is this not a provincial law? Am I not protected by a provincial law? If I do not go to work next Sunday because I believe Sunday is a day of worship, does the law protect me?"

Is the minister prepared—

Interjections.

Mr. Speaker: Minister.

Mr. Gordon: Mr. Speaker, I am waiting for the voices to go down so I can finish my question.

Mr. Speaker: I thought you asked it.

Mr. Gordon: No, I have not asked the question.

Mr. Speaker: Your constituent asked whether the law protects her.

Mr. Gordon: No.

Mr. Speaker: Quickly.

Mr. Gordon: Is the minister prepared to accept the recommendation of—

Interjections.

Mr. Speaker: Order. It may be best if I wait until everyone stops, and then the member for Sudbury will quickly put that question.

Mr. Gordon: As the minister is aware, it was the recommendation of our task force on extended shopping hours that, as part of being hired, an employee of a retail store would be protected from loss of a job if he or she did not go to work because of his or her beliefs about worship. Is the minister prepared to stand behind those employees and give them a day of rest, a day of worship, a day for the family?

Hon. Mr. Keyes: It is pretty obvious that what I stand for is the support of the laws as currently written. Until such time as some other higher court strikes it down, I have insisted that this be enforced and that charges be laid. As soon as the answer comes back, if it is in the positive, which I personally believe it will be, we will refer the issue to an all-party committee and get representation from the public. Until that court responds or until there are additional reasons to change, the law will be upheld as it is.

ENERGY FROM WASTE PLANT

Mrs. Grier: I have a question for the Minister of the Environment. It concerns the proposal by Trintek Systems Inc. to build an energy-from-waste facility in the city of Toronto. Can the minister give us one of his famous yes-or-no answers and tell us whether he intends to designate this proposal under the Environmental Assessment Act, thereby ensuring a full environmental assessment hearing?

Hon. Mr. Bradley: I know the member would not want me to give a simple answer to a very complex question. The member knows there are many aspects to this question that should be addressed. I can inform the member that I am taking into consideration all the factors related to this decision. One of the reasons is that there has been some additional concern expressed about energy-from-waste facilities in that one always has to look at the kinds of materials that might be incinerated in such a facility, the source of those materials and the kind of anticipated technology that would be used.

Mr. O'Connor: You haven't heard of this proposal, have you?

Hon. Mr. Bradley: I have indeed heard of it on many occasions, and I am giving it ongoing consideration. Even the member for Oakville (Mr. O'Connor) has an interest.

I am giving consideration to the matter the member has raised in the House today. I have been doing so for some time, and I expect there will be a decision in the very near future.

Mrs. Grier: It is a very simple question. This is a facility that we know will burn municipal

solid waste. It is within a mile of Queen's Park; so we will all be within the dioxin plume.

How can the minister reconcile his reluctance to make a quick and simple decision on this facility and the need for a hearing with his past statements about the need for the best available technology? How can he legitimately oppose an incinerator in the city of Detroit and require scrubber bag houses on it if he is not prepared to ensure a hearing so we will have the best available technology for a facility here in the city of Toronto?

Hon. Mr. Bradley: I think the member will agree there is a substantial difference between conducting a specific hearing and ensuring that the best available technology is placed on any incinerator that is permitted to be used in Ontario.

I can assure the member, first of all, that when we allow an energy-from-waste incinerator to be created in this province, it is always the case that we use the best available technology, not the technology that will be used in the Detroit incinerator, which the member knows is burning all kinds of municipal garbage. That is the purpose of it: burning municipal garbage of different kinds, some of it wet, some of it dry. There are many concerns raised about that.

This is a different proposal that is coming forward. First, the best available technology will be used in all these incinerators. Second, an appropriate hearing will be held. I have no reluctance in dealing with it in this manner. I want to ensure that the best opportunity is available to those who will be looking at opposition to this concern. Those who are making the proposal will have to substantiate their case, and if they cannot do so before the board, the board will turn it down.

WASTE DISPOSAL

Mr. McLean: I have a question for the Minister of the Environment. The Tiny township landfill site has been ordered closed in 1987. This will leave the township without a viable means of disposal of its waste. At this time, I am unaware of any alternatives that have been presented to meet this problem. What plans does the minister have in mind for the citizens of Tiny township and area?

Hon. Mr. Bradley: As the member knows, a waste advisory committee has been established in that area to look at all the potential options that might be available for use in that part of the province. The member will recall the unfortunate circumstance that existed previously with the site

that was there and the concerns expressed by the people immediately adjacent to it. Those concerns were based on the hydrogeology of the site and the fact that there was dissatisfaction that some of the materials were moving away from that site.

We want to ensure that when a new site or a new method of disposing of garbage is selected, all possible options are extensively canvassed. As a result, consultants have been hired and reports have been forthcoming. I expect the advisory committee in Simcoe will report at an appropriate time and will come forward with viable options to which we will give consideration.

14:50

Mr. McLean: I have heard the background of this many times. I would like the minister to provide us with some explanation of his policy, according to which he can close and put restrictions on that site, but not give any alternatives at the same time. Many sites have been looked at. Every time the ministry slows it down because it does not feel it meets its criteria. The minister's criteria are so strong that I would like him to tell us how a site is ever going to be established in that area in Tiny township.

Hon. Mr. Bradley: I agree with the honourable member when he says our regulations and controls are very strong. I know the member wants them to be strong to ensure we do not have the problems that existed in the past, problems that as minister I must deal with on a remedial basis. I know he wants to ensure that all future sites that might be selected or future methods of disposing of garbage will be environmentally safe and sound. This places an additional requirement on municipalities and makes it more difficult to find suitable sites because, as he knows, very often—I say this is in a generic as opposed to a specific sense—it is often the wont of a particular municipality or group of municipalities to select the site that is politically most acceptable instead of the one that is environmentally most acceptable.

I assure the member that officials of the Ministry of the Environment are prepared to assist the local municipalities in terms of advice provided. They provide suggestions to the waste management commissions and committees that are set up to determine the most appropriate answers to these questions.

SPECIAL EDUCATION

Mr. Allen: I have a question for the Minister of Education. The minister will know that last

week Mathew Gallagher, who is legally blind and deaf and has cerebral palsy, was integrated into a classroom in a regular school in Brantford. That was turned into a minor triumph by virtue of the teachers and the children involved. The minister also knows that the parents went through two years of extreme ugliness at the hands of the chairman of the board, the trustees and local parents. Since these actions are taken under a mandated program from his ministry, will the minister please tell us what he is doing so that parents seeking the integration of learning-disabled children in the regular schools and classrooms of Ontario do not have to go through the exquisite torture that seems to be reserved for them?

Hon. Mr. Conway: I am aware of the situation to which the honourable member makes reference. Incidentally, as I recall, we have discussed this in the last little while. We have legislation that provides for the special education needs of exceptional students in Ontario. It gives or affords local boards a range of local options that boards have taken advantage of. I think he is aware of that. The member will know as well that we are at present reviewing that special ed legislation on the basis of five years' experience to see how it might be improved. I hope to be back in this Legislature in the not-too-distant future with improvements to that very important legislation.

Mr. Allen: In response to this kind of circumstance, will the minister undertake the following three suggestions? First, since I know he is still somewhat uneasy with this issue, will he join me in a tour of the successful integration that takes place at both boards in Hamilton and get a firsthand feeling for the way in which it happens and the happy success it can have? Second, will the minister develop some audio-visual materials that vividly portray these successes and that can be used among boards, trustees and parents to familiarize them with this and neutralize some of their anxieties? Third, will he establish an office of mediation so that before these encounters get too far down the road in terms of litigation and conflict between parents and boards, there may be some intervention that nips these situations in the bud and brings some happy results out of these circumstances?

Hon. Mr. Conway: The honourable member knows that the legislation provides processes that include dispute resolution mechanisms. I am quite aware that they are not perfect and we will have to find ways of improving them. I very much value the member's insight and advice on

these matters. I will be very anxious to engage him in the debate at such time in the future when the proposals I will bring forward are before this assembly or one of its committees.

I recognize the member's interest in and concern for some of these issues, and at the appropriate time in the near future, we will see what we can do together to address these and other issues that have arisen over the five or six years since Bill 82 was implemented.

SOCIAL ASSISTANCE

Mr. Cousens: I have a question for the Minister of Community and Social Services pertaining to women who are on federal programs and who go from the family benefits allowance to the spouse's allowance. When they move from one program to the other, there is no provision for vision, drug, dental or medical benefits. What is the ministry's position on this situation?

Hon. Mr. Sweeney: When this was first announced by the federal government, we indicated that those people who were then on our family benefits program and who would be moving immediately into the spouse's allowance would be allowed to keep their benefits. However, that was only for the group in that situation at that moment. The member is probably aware that there is a significant financial gain in moving from one to the other. I believe it is in the neighbourhood of \$130 a month. Therefore, it is definitely offset.

In those situations where there are medical needs above and beyond even that difference of \$130, there may be an application made to the social service agency within a particular community for additional medical assistance. Where there is a very significant personal situation—and we have had a few of those—there can be an application for an independent order in council, in which case we are able to put the people concerned on family benefits at a very minimal amount so that they can qualify for the benefits. There are about three different ways to go at present.

Mr. Cousens: Is the minister then indicating that there are no people who are not suffering at present for lack of those benefits and those concerns? The process has become very difficult for them to receive all this approval, and there may be a number who are being disadvantaged. I realize the extra dollars are there, but I also realize that for some of them it seems as though obstacles are being put in their path so they cannot get their feet on the ground and face the

future with some confidence. Is there not an easier way of proceeding so that people do not see it as a series of obstacles?

Hon. Mr. Sweeney: If the member is referring to the same program that I am, then we are talking of those people who turned 60. It is not likely they are going to re-establish themselves in the working world or in any type of financially independent situation.

I could not say there is no one who is financially disadvantaged by this switch. There may very well be. What I am suggesting to the member is that there are mechanisms in place to look at individual situations. Overall, more people are at a financial advantage rather than a disadvantage. Where there are individual cases, we are quite prepared to take a look at them.

LAND USE

Mr. D. S. Cooke: I have a question for the Minister of Housing. Why did his government in cabinet last week approve a land swap involving the city of Windsor, with 500 acres of property going to Canadian National with absolutely no guarantee that any of the housing it will build on that land will be for low-income families? On the weekend, CN announced that all the land would be used for luxury housing.

Hon. Mr. Curling: The land negotiations conducted with the Ontario Land Corp. and Windsor are to facilitate Windsor's development of its area. With regard to CN and the municipality, it is they who will do the negotiations. I have no other deal with CN and Windsor authorities.

15:00

PETITIONS

SUNDAY RACING

Ms. Bryden: I have a petition opposing Sunday racing at Greenwood Race Track. It is signed by 42 persons in my riding and reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Ontario Racing Commission in its hearing into the Ontario Jockey Club application for Sunday racing at Greenwood Race Track has ruled that it does not have the jurisdiction to hear the concerns of residents surrounding the aforesaid racetrack;

"And whereas many residents have shown their concern with the impact of Sunday racing at

Greenwood Race Track on their neighbourhood and have indicated their wish to voice that concern;

"That the government amend the Racing Commission Act to ensure that the rights and concerns of residents in the neighbourhood of the racetrack and in the surrounding community be considered and protected by the Ontario Racing Commission in setting racing dates, times and schedules;

"Further, that the legislation provide that the long tradition of no Sunday racing at Greenwood Race Track be maintained."

I support this petition.

NATUROPATHY

Mr. Epp: I have a petition, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

INTRODUCTION OF BILL

REPRESENTATION AMENDMENT ACT

Mr. Villeneuve moved first reading of Bill 148, An Act to amend the Representation Act.

Motion agreed to.

Mr. Villeneuve: This bill would effectively change the name of the great riding of Stormont, Dundas and Glengarry to include the eastern half of the county of Grenville, which will be part of the riding once it is expanded. In order to be fair to all of the people in that constituency, we ask that it be known henceforth as the riding of Stormont, Dundas, Glengarry and East Grenville.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF TREASURY AND ECONOMICS (continued)

On vote 1001, ministry administration program:

Mr. Barlow: I have a couple of questions I would like to ask the Treasurer (Mr. Nixon). In the most recent edition of Ontario Finances—I thought I had my copy of that with me, but I do not have it—there is a comment that a part of the increased expenditures for the year were for the Toyota infrastructure in the great riding of Cambridge. I think \$39 million was allowed for that and a couple of other things. I am sorry I do not have my copy of Ontario Finances here with me. Oh, here comes a copy rushing up right now.

Under "Expenditure" it talks, among other things, of capital funding for infrastructure services for the Toyota assembly plant, for GO Transit and the General Motors-Suzuki assembly plant. Can the minister tell me how much of these increased expenditures really are going for the Toyota infrastructure? Does he have that figure handy?

Hon. Mr. Nixon: The negotiations with Toyota and the municipality were carried on by the Ministry of Industry, Trade and Technology, essentially with, I believe, representation from the Office of the Premier. In many respects, the Treasury role in this was to be kept informed and, I suppose, consulted about what the limits of the expenditures might be. As Treasurer, I had some personal input to that extent.

The agreement was entered into with Toyota after the formal allocations for this year's budget were established and, for that reason, it is reported in Ontario Finances as an extrabudgetary expenditure, if I may use that adjective.

A large proportion of that money is going for special instruction and educational programs that will assist Toyota in training the people who will be hired there in the next months and years in a method of manufacture for automobiles and automobile parts that is a substantial departure, I am informed, from the traditional procedures that have been used in North America. We are informed that the cost of this training and upgrading with Toyota, just as it is with other car manufacturers, is a substantial ongoing cost, and it was deemed by the province that this was something to which we could make a contribution.

The member is also aware that the servicing of that area which lies directly to the east of his own municipality of Cambridge, formerly Galt, was quite a large amount of money. I understand the municipality and the province are co-operating to provide service for an area larger than that which will be used by Toyota.

There was a time two or three months ago when I was very familiar with the acreages

involved. I seem to recall that as much as 800 acres, in addition to what is used by Toyota, will be serviced and will be available to the regional government or the municipality for additional expansion in the future.

Mr. Barlow: I know the announcement for the Toyota plant was made back in December 1985, and I would have thought that the budgeting would have been in the previous budget. No, I guess it would not have been; it will still be in this budget, because that was between budgets.

The Ontario Land Corp. holdings in that area were something like 3,000 acres all together. I am not sure how many are in this phase of industrial development over and above Toyota's requirements. Toyota's requirements were something like 400 acres, I believe.

I was interested in what numbers of dollars were going to that out of the total increased expenditure that was going to service the Toyota lands.

I have other questions, but perhaps as time goes on I can get my notes together. I came in here in a hurry; I was not quite prepared to jump up, but nobody else seemed to be moving, so I thought I would help the Treasurer out, because I knew he did not want this to be cut off too early.

15:10

Hon. Mr. Nixon: I appreciate the thoughtfulness of the honourable member, but if the estimates were to be carried before the time elapsed, it would not break my heart. I should say that although the Ministry of Industry, Trade and Technology had been negotiating with the municipality and Toyota, it had not brought a submission to Management Board and it had not been approved in all its detail before the allocations through the budget were completed. That is why it appears in Ontario Finances as a special in-year financing item, using up some of the famous surplus that caused so much comment a week ago.

In that connection, I would like to say—I appreciate the honourable member is aware of this, and he was suffering no misapprehension in that regard—there is some misunderstanding about the allocation of the additional revenues I announced a week ago.

They have normally, I guess, been called by most people a windfall of about \$400 million. About \$300 million of that windfall came from the government of Canada, when it told us our revenues for personal income tax, which it collects, would be higher than projected at the time of the budget. The member for Dufferin-Simcoe (Mr. McCague) will recall, because a

year ago he was asking me questions about it, there was a similar windfall from the federal government a year ago because our revenues of personal income tax were higher than had been projected. We used the same projections then that had been established by the previous government.

It is interesting that the year before that, if we can go back into history, in the last quarterly report put to the Legislature by the previous government, by the member for York Mills (Miss Stephenson), my predecessor, the projection from the federal government had been seriously in the other direction and the member had to announce that revenues would be about \$600 million lower than anticipated. I mention this simply because the federal government, although it does its best, and it did its best with the previous government there as well, is never right on the nose. Although its projections are the best available, as the in-year experience goes forward it has to amend them from time to time so we are kept up to date with that information.

I should say, though, our own projections were also somewhat low. Revenues from the lotteries, for example, were more than \$50 million higher than the increased revenues we had projected. The same is true for our sales tax, corporations tax, mining tax and certain other revenues. In all, we are expecting an in-year increase in our revenues of about \$400 million. Those moneys are already assigned to programs of the type the member for Cambridge (Mr. Barlow) has been referring to; that is, the special payments for Toyota, and Suzuki is a similar one. The money was also spent in unexpected requirements for the Ontario health insurance plan, the Ontario drug benefit program, extra firefighting and so on. The list is there in Ontario Finances and takes up the \$400 million, including a \$100-million reduction in our cash requirements.

The part that concerned me a little about the news reports last week, although generally I had in no objection to the tenor of those reports, was that there was confusion in the minds of those people observing the Legislature who associated that \$400 million with the additional transfers announced to our transfer partners, the municipalities, the school boards, the post-secondary education institutions and the hospitals. The increased transfers announced, which begin only next fiscal year, will be an additional payment of \$930 million, more than double the amount of the so-called windfall.

I do not know whether these comments have straightened it out in the minds of any of the honourable members who are paying attention so closely to my words, but at least I have had the satisfaction of presenting that clarification to the House. I do not have any complaint about the coverage, although I probably could express a complaint with the attention the press gallery has given this debate, but they got it wrong. Even Canada's national newspaper, the newspaper of record, got those two areas confused.

The Deputy Chairman: Is the member for Cambridge satisfied with the answer?

Mr. Barlow: I guess I am satisfied with that lengthy explanation. While the minister was assisting me with that answer, I found some of the notes I wanted to talk about on the Toyota situation.

In the centre-fold of Ontario Finances, where it gives the explanation of the expenditures, there is a statement that \$39 million was the net increase in expenditures to provide for General Motors, Suzuki and GO Transit as well as services at the Toyota assembly plant. What I was getting at and wanted to establish was how much of the \$39 million was for the services at the Toyota assembly plant and how much of the total expenditure for Toyota would have been in the initial budget papers back in May 1986.

I can help the minister out on how much Cambridge expected to receive, after having negotiated with the province. In phase 1, there was a total of \$16,307,300 for the servicing of the Toyota lands, and in phase 2, \$11,640,000, for a total figure of \$27,947,000, almost \$28 million. I do not think that included the \$15 million that was projected for training through the Ministry of Skills Development. I believe that was extra.

Was there any money in the original budget of 1986-87 that related to service work at Toyota?

Hon. Mr. Nixon: There may have been what the deputy minister refers to as a place holder; that is, an amount indicating the budget was designed to provide the financing required, but the actual amount was not known at that time. I will undertake to give the honourable member a full accounting of what we expect to pay out and what has been paid out. I will see he gets that.

Mr. McClellan: I want to raise an issue with the Treasurer, who is responsible for pension policy for the Ontario government with respect to the changes to the Canada pension plan that are coming in January 1987. The Treasurer will know the federal government initiated last week a series of television ads advising Canadians that

as of January 1, 1987, there will be some major changes to the Canada pension plan, including the opportunity to take voluntary early retirement.

This is one of those historic moments that cries out to the Ontario government to show some real leadership. This is an important initiative that has been undertaken in Ottawa. It gives workers an opportunity to choose whether to continue to work until age 65 or whether to retire at age 60. It is an important issue in terms of quality of life for people, and it provides an opportunity to create job openings in the economy. Every time somebody retires, that opens up a job for a younger worker or a first-time worker, some young person seeking entry into the economy.

15:20

There is only one problem, and I am sure this has occurred to the Treasurer, who will know that the monthly average of new benefits under the Canada pension plan in Ontario, as of June 1986, is only \$335.64 a month. That is the average payout to new Canada pension benefit recipients. Full benefits are in the vicinity of \$460, although I do not have the exact figure. A reduced benefit at age 60 would give a retiree a 30 per cent reduction. If you retire at age 60 under these new provisions of the Canada pension plan, your benefit is reduced by 30 per cent.

This is the figure I am coming to after all this verbiage. The average benefit in Ontario for somebody who takes advantage of early retirement under the Canada pension plan would be the magnificent sum of \$2,814 a year. That is what the average entitlement would be in Ontario. The maximum entitlement—the most anyone in Ontario could get—would be \$4,083.

I realize the underlying structural problems of the Canada pension plan are not problems the Treasurer can solve unless he does the right thing, runs for federal office and some day becomes the federal Minister of Finance. There is a role here—it seems to me a historic moment—for Ontario to show the same kind of leadership that British Columbia, for example, showed by bringing in its guaranteed annual income concept for senior citizens in the 1970s, which we have copied with our guaranteed annual income system.

There is a role for Ontario to make voluntary early retirement a reality for our people through the establishment of a provincial early retirement program and an Ontario early retirement pension fund, which would make it possible for our citizens to take advantage of the early retirement provisions of the Canada pension plan.

I met with some members of the Canadian Auto Workers union this morning. Those workers have a good union with a strong collective agreement. It provides them with supplementary benefits that permit a very fortunate though small minority to take advantage of the CPP early retirement provisions, because they have benefits that can top up the Canada pension plan. Probably 90 per cent to 95 per cent of the people in Ontario do not have these kinds of private pension plan arrangements, however.

I am getting to my question to the Treasurer. Is he prepared to bring in programs that would provide provincial supplementary benefits to people in order that they would be able to take advantage of these CPP provisions, or is this simply going to be a dead letter?

Are we going to say that anybody who wants to can retire at age 60 as long as he can live on \$2,814 a year or even \$4,083 a year, or are we going to be realistic and give the social leadership this country should expect from its richest industrial province and say that those who wish to retire at age 60 should be entitled to a pension of at least 50 per cent of the average industrial wage, something in the vicinity of \$11,000 a year? Ontario could set up a plan of this kind and perhaps finance it on the basis of a payroll tax.

We have some specific proposals we have been putting forward for the past few months. I am sure the Treasurer is familiar with them. I would like to know what plans the government has to respond to the opportunity that will be presented on January 1, 1987, to make voluntary early retirement a possibility.

Hon. Mr. Nixon: I have followed the pronouncements of the New Democratic Party in this important matter very carefully, and the member will be glad to know that Treasury has provided me with an assessment of the costs associated with the matters he has put forward.

The costs of retirement have been very much on our minds over the past few months and years since we have provided an early retirement window for secondary school teachers, which drew on the secondary school teachers' retirement fund or the teachers' superannuation fund to the extent of just less than \$400 million. There have been other decisions associated with retirement, at least pending, that have been even richer.

The member and his party have put forward the important concept of allowing early retirement for a broad range of Ontario residents with particular emphasis on those working in heavy industry. I believe the age range would involve

about 60,000 people. At present, the average industry wage he is referring to is estimated to be about \$27,000; so financing would be based on whatever percentage of that the possible policy might recognize.

Whenever the Premier (Mr. Peterson) and myself have been meeting our opposite numbers—in his case first ministers, and in my case the treasurers across the country—we have indicated, usually in conjunction with discussions on tax reform, that we consider a revision of our social policy and social programs to be an important ingredient in tax reform.

We have referred repeatedly to an improvement of the financing of child care programs but also to an acceptance of the concept of the guaranteed annual income, which the member referred to in conjunction with the policy of the government of British Columbia.

We are a long way from getting that effectively accepted by the other provinces but no one rejects it out of hand, other than the quite expected remarks from provinces that may be under more fiscal pressure than we are that it is very difficult for them to contemplate expensive new programs when they are having such great difficulty in financing the basic programs they now have.

The equalization responsibility under the Constitution of the government of Canada would mean that if this were decided to be an acceptable modern and emerging alternative, which should be carefully and positively considered, the government of Canada would have to arrange the financing at a much higher level for those provinces that do not have the resources and the wherewithal that the richer provinces, such as Ontario, are fortunate enough to command.

The member might be interested in an excerpt from a briefing paper that I have. It is not definitive in any way, but it gives an indication of some of the costs we would be contemplating. I quote from the briefing paper, which has to do with the extension of provincial and federal elderly benefits to the 60 to 64 age group:

"Federal and provincial elderly benefits, such as guaranteed income supplement"—which is a federal program—"Gains"—which is provincial—"and OHIP premium waiver, the Ontario tax grants and other unspecified programs would be extended to persons aged 60 to 64. It is unclear whether these additional benefits would be extended to only the 60,000 people mentioned in the news release"—it is referring to the NDP release—"or to all persons between 60 and 64 who have retired.

"The cost to the federal government of extending old age security and the guaranteed income supplement to 60,000 persons would be approximately \$245.8 million annually." Presumably, that is across Canada. "The cost of extending elderly benefits to all persons aged 60 to 64 would be \$4.6 billion." That is across Canada.

"The cost to the Ontario government of extending Gains, the OHIP premium waiver and Ontario drug benefit plan and Ontario tax grants to 60,000 persons aged 60 to 64 would be approximately \$71.3 million annually. The cost of extending provincial elderly benefits to all persons included in this age group would be \$500 million."

15:30

Those figures are designed not to be precise but to give me, as Treasurer, an indication of the costs that would be involved. I know the honourable member will want to pursue this, but we have reviewed the proposal from the New Democratic Party and we have that sort of information available.

Mr. McClellan: I appreciate that the Treasurer and his officials have been studying the proposal we put forward. We put it forward as a serious proposition. It appears to be receiving at least a serious analysis, and we appreciate that.

We simply have to accept the fact that an industrial society in an industrial province such as Ontario has to adopt social policies and pension policies that meet the needs of an industrial society. Those essential social policies include the opportunity for voluntary early retirement in order that (1) we make it possible for people in heavy-duty industry to retire before their health is destroyed; and (2) we make room in the economy for the legion of unemployed young people that demands its day in the sun.

There are 109,000 unemployed youngsters in this province. Even now, during a period of relative boom, when the economy seems to be moving forward and unemployment is at its lowest level in many, many years, that group of young people still remains blocked from entry into the economy. It can be argued rationally and sensibly that there is a need for an early retirement plan, which admittedly targets selectively and says it is a plan available, at least initially, and will perhaps for the foreseeable future be targeted, to particular economic and social objectives: (1) to try to ease the burden on people in heavy-duty occupations, to protect their health and to permit them actually to enjoy some retirement years before the physical de-

mands of their occupations destroy their health and; (2) to link it with a job-creation objective, namely, to provide an opportunity for young people to enter the work force.

We have not talked about extending the guaranteed annual income system to all people between the ages of 60 and 64. We have talked about a supplementary benefit program that would be available (1) to workers in identified heavy industry occupations, and construction workers or miners come immediately to mind; and (2) to workers in companies where their employers agree to replace the early retiree with a younger worker, perhaps a first-time worker, so that we would accomplish that social objective and the economic objective simultaneously.

We have estimated that a startup cost in the vicinity of \$350 million would be necessary. This is obviously not an inexpensive program. We believe it could be financed with a 0.5 per cent payroll tax, which could be justified on the grounds that it is a program that meets important social objectives both in terms of heavy-duty workers and especially in providing job opportunities for young workers.

I hope the Treasurer will not allow the matter to be sunk in the alarming financial figures that his officials always have available to present to discredit any program that is suggested. I do not think that is what is happening here, but I have in the past seen this happen. Second, I urge the Treasurer not to rely on the outcome of a federal-provincial consultation process and the development of a federal-provincial consensus, because, quite frankly, that is not the way things get done in this country. Had we waited for a federal-provincial consensus on medicare, we would still be waiting, along with Mackenzie King. We have medicare in Canada because one of the provinces took the initiative and went ahead and did it. Once it did, the other provinces and their people insisted that there had to be a national plan, and the national plan came about.

Similarly, in the other example that I used and that the Treasurer used, the guaranteed annual income supplement for the elderly, we did not wait for a federal-provincial consensus. British Columbia brought in an income plan in the early 1970s and the other provinces followed suit.

I have absolutely no doubt that if Ontario were to show leadership in establishing an early retirement pension plan of its own, the other provinces would either establish their own plans or, more likely, would put sufficient pressure on the federal government to develop a meaningful voluntary early retirement program that would be

available on a coast-to-coast basis. However, if we wait and wait for this great consensus, nothing will happen now or in our lifetime.

As a final point, this is not a great, novel, innovative suggestion I am making. The Treasurer knows most of the western European industrial democracies introduced voluntary early retirement along the lines of my suggestion, a targeted plan, as many as 20 or 25 years ago. It is part of the apparatus of a modern industrial economy to provide voluntary early retirement opportunities for people.

It cannot be done on a voluntary basis or a private sector basis; it can only be done on the basis of public plans. We are saddled with a public plan that is probably one of the most inadequate public plans in the western industrial world. We are forced to come up with adaptations and additions such as the one we are proposing because of the basic structural inadequacy of the Canada pension plan. A plan that pays a maximum of only \$450 a month is a deeply flawed plan, but that is what our plan is. It is incumbent on the government of Ontario to take advantage of this window of opportunity that is opening in the new year to bring in its own program.

Hon. Mr. Nixon: I am very interested in the comments made by the honourable member. I can recall when age 70 was the standard retirement age. I well recall when, at the initiative of the government of Canada, old age security was payable not at 70 but year by year, at one year lower until it got down to 65. I can remember when my sainted father achieved age 70 and got his first old age pension cheque. Unfortunately, he did not last to receive his second, but that sometimes happens. Now it has been reduced to age 65. That was seen at the time as a very expensive and innovative program to improve retirement capability, but now it is fully accepted. At age 65, most people tend to be making plans at least to change their career if not to retire fully.

The progress in the community has continued. It did not stop with age 65. The member and other members of the House will agree that for many good reasons we ought to be looking carefully at and making plans to finance, if possible, a program that will reduce it even further. It is interesting that even for the Ontario public service the statistics indicate we are not having the influx of young people we hoped to have because of what has happened and what the member would describe as the insufficient

flow-through of personnel we experienced in previous years.

15:40

The member mentioned western Europe. It is interesting that in the briefing paper that was fortunately provided to me, there is a reference to western Europe. I will read the paragraph:

"Voluntary early retirement programs in western Europe have not been effective in encouraging employers to hire young or unemployed workers. Unless employers are required to hire new workers to replace early retirees, they have tended to replace labour with capital or reduce the size of their work force."

It is true that legislation could be established that would require the hiring of new people or even first-job hirees. That is the sort of thing that would be extremely beneficial to give opportunities to the young people we are concerned about.

That is about all I can say about this right now. I am not sure whether I am prepared to table the briefing paper until I have read it a little more carefully, but it is designed to assist me, as Treasurer, to answer the questions that would come to me from people who are interested in the proposal that has been put forward by the New Democratic Party. I think everybody in the Legislature is. If we bring it forward as our own idea, we are quite prepared to defend ourselves against charges that we are stealing something else. The member is sort of saying, "Where is the leadership that brought us medicare?" Who knows where it is?

The Deputy Chairman: Does the member for Bellwoods have more questions or comments?

Mr. McClellan: No.

Mr. Philip: On the same or a related topic, I found rather interesting the answer of the Premier to a question by my colleague the member for Hamilton East (Mr. Mackenzie) the other day. A number of members have been receiving, or at least the Premier has been receiving, letters from the Ontario Public Service Employees Union that basically make the point that while the Canada pension plan retirement benefits will be available in early 1987 on a reduced basis as early as age 60, the option of early reduced benefits has been available under the Quebec pension plan since January 1, 1984. The Quebec government also passed legislation that prohibits a private pension plan from reducing a supplement or bridge benefit because a member is receiving or is eligible to receive a benefit from the Quebec pension plan before age 65.

I know OPSEU has written several letters to the Premier, but what I found interesting was that, in response to my colleague, the Premier was derogatory of the Quebec plan. Will the Treasurer be kind enough to outline for the House what he sees as the major objections to the Quebec plan?

Hon. Mr. Nixon: I am not sufficiently familiar with what the Quebec plan provides. The discussions among the provinces leading to the amendments to the Canada pension plan were ongoing. They had pretty much been accepted by all the provinces when the present Leader of the Opposition (Mr. Grossman) was Treasurer. Therefore, these discussions go back three or four years.

They are important. They are not as far-reaching as the honourable member would wish or, frankly, as I would wish, but they do permit flexibility on the retirement age, so that retirement under the Canada pension plan can begin between the ages of 60 and 70. However, for every year under 65 that retirement occurs, I believe the payout is reduced by about six per cent or seven per cent, so there is a substantial penalty. That was the basis of the criticism expressed by the House leader for the NDP.

I cannot give the member any kind of knowledgeable assessment of what they are doing in Quebec, but I can have the officials give him a written response if he does not mind waiting a little while, perhaps a couple of weeks.

Mr. Philip: Since the letters from the various locals of OPSEU were dated early October, the Premier must have responded at that time. I am wondering how he could have responded in an intelligible way without consulting the Treasurer on this important matter. Can the Treasurer inform us of whether the Premier has his own views on the Quebec pension scheme without consulting him?

Hon. Mr. Nixon: I am sure the Premier's response was knowledgeable and sensitive. I have not seen it. The honourable member can draw his own conclusions about whether the Premier feels he can respond without consulting me.

Mr. Philip: Do I take it that the Treasurer is asking for my advice on that matter, or is he simply making an observation?

Hon. Mr. Nixon: I feel sure you will give it if you choose to.

Mr. Breaugh: The answer is no.

Hon. Mr. Nixon: No.

The Deputy Chairman: Is the member for Etobicoke satisfied?

Hon. Mr. Nixon: No.

Mr. Philip: No, but I will not prolong the debate on this topic.

Mr. McCague: To the Treasurer: on the Hydro employees' pension plan, Hydro has decided not to make any contributions for a couple of years. Does the minister agree with that action?

Hon. Mr. Nixon: I have asked for some additional information about that. As I understand it, where a pension plan contains 125 per cent of the funds necessary, on an actuarial basis, to meet its requirements, Revenue Canada does not permit the payments to be made. The honourable member will be aware that under some circumstances this would not involve Hydro, but it has been possible in the past for an employer to make payments to a pension fund in excess of what was necessary, sequester the money away from taxation and remove the surplus at a later time when his own revenues might advantageously be bolstered by that additional money. In some respects, that is one of the reasons we have been plagued by the difficulties of legal surplus removals, which is one way to describe them.

Mr. Breaugh: Yes, legalized theft.

Hon. Mr. Nixon: Ah, yes, that is another.

The other problem in this is that with a buoyant economy and unnaturally but very welcome high returns on investment, the funds that are available in these pension plans are extremely productive, and they very readily move to the level of 125 per cent capability and beyond. Under the law of Ontario, anything beyond the 125 per cent requirement is eligible at least for review by the pension commission on application for withdrawal. Some of these applications have gone forward, and in many cases the surplus has been withdrawn, which is, by agreement of employees and employer, above and beyond any requirement to meet the full payout potential plus 25 per cent.

Mr. McCague: Can the Treasurer please clarify for me what the process is in the case of Ontario Hydro not making contributions for a couple of years? Is the Department of National Revenue the law or is the pension commission the law?

Hon. Mr. Nixon: The honourable member will know that the draft pension benefits act that my colleague the the Minister of Consumer and Commercial Relations (Mr. Kwinter) has been

circulating will require employers to pay 50 per cent of the cost of pensions at least. This is part of the interprovincial consensus, which is not enacted as yet but which makes it clear and will make it a part of the law that both employer and employees will have to share at least 50-50, if not better, in the provision of the basic financing of the pension program.

It seemed to me at least significant enough to trigger my inquiry that while it might be suitable for Ontario Hydro not to make contributions, since there was ample money in the fund, it might also have been considered suitable that the employees not contribute either. On the other hand, the honourable member will know that even under the very advantageous pension benefit situation we have as members of this Legislature, members who are fully paid up are still required to contribute 10 per cent of their hard-earned paycheques to the pension fund, even though there is no benefit other than to latecomers to the fund. The member might perceive a small benefit.

15:50

Mr. McCague: The Treasurer likes to refer to the pension plan in which he is involved as the norm of pension plans. I suggest it is not quite like that.

Hon. Mr. Nixon: No, no. I just did not want you to forget that everybody suffers to some extent.

Mr. McCague: That is what one suffers for staying around here too long.

I am still not clear. When Ontario Hydro made the decision not to contribute to the pension plan for a couple of years, which approvals outside their own did they need?

Hon. Mr. Nixon: None.

Mr. McCague: Does the Treasurer agree with that?

Hon. Mr. Nixon: It has been a while since I disagreed with Hydro, but I feel it coming on.

Mr. McCague: The Treasurer may want to claim he does not have any responsibility for Ontario Hydro, but in 1984 he said a few things. One of them was: "The Treasurer does not have in the statute any day-to-day responsibility for the control of Hydro. He is simply responsible for every dollar it borrows. Any time he raises his eyebrow or crooks his finger having to do with borrowed money, then Hydro had better respond, and I assure the Treasurer"—that was the Treasurer of the day—"it will."

In the weekend press, the expansion of the Hydro system was under discussion. The Treas-

urer knows full well there is or very soon will be some locked-in power in the Bruce. He is as concerned about that as I am, because lines are proposed in various parts of Ontario, and I do not think either the Treasurer's riding or my own was forgotten when those lines were being drawn around the province.

Can the Treasurer tell us what he is doing in the interests of economy to persuade Hydro to get on with the job and get that locked-in hydro out?

Hon. Mr. Nixon: Hydro is doing everything it can to get approval for the lines that will permit the power to get from the Bruce generating complex to southwestern Ontario. The additional alternative line would be across the province just south of Georgian Bay, to join with the provincial grid at Essa.

The hearings have been going on for a number of months. While I am not knowledgeable enough to predict in any authoritative way when we will hear from them, the hearing officers ought to make their pronouncements on this matter in the near future. If I were to guess, I would say that whatever they decide after these extensive hearings, the matter will be appealed to the provincial cabinet. I expect the final decision will be made by the executive council of the province anyway.

Mr. McCague: I know the Treasurer thinks it is very important to expedite the matter of the locked-in power and the cost of generation to replace it. He knows coal-fired generation is replacing what is locked in. We also have problems in the Ottawa area.

It is important that the Treasurer put economic pressure on those who are under his finger or thumb or whatever it is he said they were under. What did his statement say? "Any time he raises his eyebrow or crooks his finger...." He should keep crooking his finger and raising his eyebrows, and maybe we will get that locked-in power out. The date was October 26, 1984; it was on page 3617.

I thought the Education critic might be back to ask the Treasurer a few questions, but I think every member of this Legislature, including his own members, is aware of the situation in education funding and of the promise 15 or 18 months ago that his government would move progressively in the next five years to 60 per cent funding. Can he tell me when that might happen, and can he tell me, in percentages, what the level of funding to education in elementary and secondary is this year compared with last year?

Hon. Mr. Nixon: The percentage envisaged in the transfers announced last week is about 45

per cent. Perhaps somebody can give me the exact number, but if anything, it is about one third of a percentage point lower than it was a year ago.

Mr. McCague: The Treasurer did not answer the first part of the question. I thought there was to be a progressive move to 60 per cent in his party's first five years as the government. What happened to that commitment?

Hon. Mr. Nixon: The honourable member is as familiar with this situation as I am. I do not blame him for couching his question in that particularly awkward way.

He is talking about a percentage of a moving target. As the various school boards respond to the exigencies of increasing costs, particularly salaries, from time to time they enter into costs that are not approved by the province or envisaged in our budgetary projections. As that target moves ever upward, and our general legislative grants move up very rapidly as well, it is almost like an anti-aircraft gun trying to hit an airplane when the plane is a little too fast for it, because we are falling a bit farther behind on the basis of the numbers the member is interested in.

If, however, we look at approved costs, this year we are paying about 54 per cent to 55 per cent of those costs. If we include ancillary expenditures for education that are not directly related to the classrooms—such as our huge contributions to the teachers' superannuation plan on behalf of the teachers because, under the law, the school boards in this regard are not the employer; the government of Ontario is the employer—then, of course, our percentage moves up quite dramatically.

Since the member, filling a role I know so well, is indicating we are falling a bit short of the target set in the election campaign, I can tell him that we are improving our assistance for education and that in the announcements made last week our increases were something more than seven per cent at a time when the actual growth in costs, because of inflation, is more in the four to five per cent range. Thus, we are more than making up for the regular growth in costs.

The school boards of some of the major urban centres are classic cases in undertaking programs of enrichment that are not standard—we wish they could be standard, but there is not enough money anywhere in the Treasury to support them on a standard basis—and if some of those richer municipalities, or those with access to additional revenues, move forward, we are going to fall farther and farther behind because we are not

prepared to accept those as a norm across the province.

We appreciate the leadership that some of these school boards are undertaking, and I am in no way critical of it; but they have always been well in advance of the standard level of education that we feel we can provide. This does not mean that some of the smaller boards, rural boards and some in the north, have not undertaken some interesting innovations that have had substantial impact on the quality of education, that are different and perhaps are superior to those that are part of the norm.

16:00

Mr. McCague: When the Treasurer is given the challenge, he sure can dance. Some of those arguments are not new, but there is one there that is new and that the Treasurer has thought up in the past few months. However, I suggest to him that he will not fool the public with that. What he said to the public during the election campaign was that he would move to 60 per cent. The public understands 60 per cent versus 45 per cent. They do not understand all this fancy dancing he just did for me when I asked him the question. I think he is going to have to improve that.

As he knows, the elementary schools have been complaining about the widening of the gap between what they get per pupil and what the secondary schools get per pupil. I do not think there is any doubt in the world that at some time he is going to have to address that and apply a bigger percentage to the elementary than he does to the secondary. Perhaps he could apply the same percentage to the secondary and increase the elementary considerably; I think there is a need for that.

Hon. Mr. Nixon: I say—probably I should not—there was a time, going back a few years, when I was advocating that the province pay 80 per cent of the cost of education.

Mr. McCague: What do you think of that now?

Hon. Mr. Nixon: I can remember the arguments made by a predecessor, going back three or four Treasurers, about the difficulties in financing education and we had some useful discussions in that regard. But we are quite proud of what has been achieved in the education system over the years.

The honourable member supported strongly and enthusiastically the extension of secondary education in the separate system. While it was a matter of policy, which we have been very

careful to follow, this did not detract from the dollars available to the public system. Still, he will know there has been a substantial additional commitment to education. Our teachers normally consider themselves well paid. I believe they normally consider that they have reasonably good working conditions, although both the pay scales and the working conditions can undoubtedly be improved.

I am not sure what the averages are at present, but a few months ago when I inquired, I believe the average salary of teachers across the province was somewhat more than \$40,000.

Mr. Ashe: What was it when you were teaching?

Hon. Mr. Nixon: The honourable member is good enough to laugh. As a matter of fact, when I left teaching to come into the Legislature I think my pay was \$4,800. I came here when the indemnity was \$5,000. There was a move even then to raise the indemnity, and I could not support it because I did not know what I would do with the extra money. I may not have that exactly right, but it was something such as that.

The school system is generally accepted as a good and progressive one. The teachers, through their professional organizations, are also aggressive in their efforts to improve it. I believe the Minister of Education (Mr. Conway), with his fresh and knowledgeable approach in these matters, is seen to be doing a good job for the taxpayers, the students and the professionals involved.

Mr. McCague: I noticed an interesting part of these estimates. The Treasurer said in his budget last year that he was going to—and he did, as I understand it—disband the Ontario Economic Council. But he still funds the Conference Board of Canada. Why would he disband the one and fund the other?

Hon. Mr. Nixon: At the time, my thinking was that a number of good independent economic groups were offering public advice to governments at all levels. We felt this sort of advice, on a broad basis from different sources in Canada and some from outside Canada, would be as useful as having an in-house council that had certain specific responsibilities.

The decision was not uniformly greeted as a good one, but I felt I would prefer to use a lower number of dollars to support these independent groups, which have competent economists and independent leadership and which are going to offer advice and projections that are independent of the government that receives them. My own view at the time was that this was a good way to

use our rather scarce resources and to provide the independent information, which is always valuable.

At the same time, I would say we have a staff of in-house economists, led by Dr. Bryne Purchase, who are well recognized in Canada and elsewhere as having an excellent record in their projections and in whom I have a great deal of confidence. However, it is always valuable for any organization, business or otherwise, to expose itself, if I may use that verb, to independent economic information. I believe we are not missing out on anything in this regard and we are saving about \$1.5 million.

Mr. McCague: Since I have never heard the Treasurer say anything negative about the conference board, and I have never heard him be very complimentary to the economic council, I guess we can take a little message from that. Would that be fair?

However, it seems to me, the Treasurer having said what he just said, he did not take anybody's advice about what the growth in the economy was going to be—not Dr. Purchase's, and maybe not even his own intuition. I think he low-balled all those things even below what the conference board was telling him and probably below what our federal colleagues were telling him. Does the Treasurer want to shoot that down, or does he want to let it stand?

Hon. Mr. Nixon: I can assure the honourable member—he may not accept it but he probably will—that we were not low-balling the projections of growth. As a matter of fact, we had some extensive discussions about whether, for example, the projected numbers of housing starts were realistically high. Some of the more interesting discussions in the boardroom of the Treasury take place as the economic projections come forward on a regular basis, quarterly, and it is quite interesting when Dr. Purchase and his group come up with their slides and take me through these projections for an afternoon.

When the projections are for substantial real growth, it makes for an invigorating afternoon indeed. I am not looking forward to the time when I have to look at the projections that the member for St. Andrew-St. Patrick (Mr. Grossman) and the member for Muskoka (Mr. F. S. Miller) had to deal with during the early part of this decade, where all the numbers were downward to the extent that it must have been psychologically depressing as well as economically depressing.

The results for the Ontario Treasury related to other projections. My deputy minister has been

good enough to put this information in front of me. For example, the projections for real growth from the banks and certain other sources are as follows. For 1986, the Ontario Treasury is projecting real growth over the year of 4.1 per cent; the Bank of Nova Scotia is projecting 3.9 per cent; the Royal Bank, four per cent; Chase Econometrics, 4.2 per cent; the conference board, 4.4 per cent; the Canadian Imperial Bank of Commerce, 3.8 per cent; and the Toronto-Dominion Bank, five per cent.

16:10

The member can make a speech saying the Treasurer is accepting advice from within house and from outside that real growth is going to be 4.1 per cent. He is low-balling it, because Toronto-Dominion is projecting five per cent and CIBC is projecting 3.8 per cent. It is not an exact science. Our people do it independently. They do not look at what everybody else is doing, make a nice average and say, "We are going to come in here and be safe." They do it independently, and it takes quite a lot of nerve to trot that out and live by it.

I am glad it can be seen to be somewhat lower than our experience. It is beautiful to have to defend this argument. It is much more pleasant than the other one, which no doubt over the course of the next 42 years we will have to defend as the economy in its cyclical variations takes a bit of a tumble, as it surely must.

Mr. Ashe: Do not bet on the time frame.

Hon. Mr. Nixon: We are doing our best.

The member will also notice that the conference board is a bit more optimistic than we are. I can remember when the present Leader of the Opposition was Treasurer and much concerned that the conference board was indicating a much lower rate of real growth than he was projecting as Treasurer. Unfortunately, the conference board was a little closer to the truth at that time.

We were making similar speeches to the one the member is making, from the other side of the coin. I even remember chiding the Treasurer, who was very uncomplimentary about the conference board being made up of a bunch of Conservatives—I think that is the way he described them—because he was paying them \$100,000 a year for the advice. He was also paying his own Ontario Economic Council \$1.5 million for its useful reports, which were tabled from time to time. We are not doing it in exactly the same way. I think some of the same criticism can be levelled.

I want to mention something I have been mentioning ever since my return from the trade

journey with the Premier to China and Japan. I was very much struck that some of these major countries employ soothsayers to advise their officials. As I look at the success these countries have experienced, I am thinking of taking a course in reading entrails to assist Dr. Purchase in his projections.

Mr. McCague: The only comment I can make is that if the Conference Board of Canada is worth \$108,000, maybe its projection of 4.4 per cent is worth the taking. However, we will see what happens with that a little later on.

Hon. Mr. Nixon: I hope they are right.

Mr. McCague: I hope they are too. We need some schools in Dufferin-Simcoe.

It is only fair that we raise with the Treasurer the very high levels that the salaries of ministers' staffs seem to be at. They are probably 20 per cent higher than was the case 18 months ago and are considerably more in some cases than—I was going to say the Treasurer and I make; they are quite a bit more than I make and than he used to make before he got this cushy job. He often refers to them as people who carry his suitcase and his briefing books. Does he not think these rates are a bit high?

Hon. Mr. Nixon: I do not even know what they are, but the honourable members and his colleagues have questions in Orders and Notices asking for the total complement by name and the salaries. I believe I have signed that answer, and it should be available soon. So that the member who was talking about what those numbers and salaries were 18 months ago will know for sure what they were, I am going to provide the complete list with salaries for that period so that everybody will know the facts. I wish I had it here and could read it off.

My own feeling is that the complement has not been enlarged, and I doubt the salaries have increased in any unconscionable way. I might as well be frank and tell the member that when I look at the ministers' staffs as they were two years ago for the Treasurer, the Minister of Revenue, the House leader and the Chairman of Management Board, I can assure him the numbers are lower now and the all-in costs are substantially lower now than they were then. We are going to have these figures for the member. If I had had my wits about me, I would have had them here because this is a subject of great interest and is totally attractive for opposition members. I understand that.

Mr. McCague: Does the Treasurer intend to provide these figures for his other colleagues too?

Hon. Mr. Nixon: Yes.

Mr. McCague: We will look forward to that information. I know he is setting an example, but I am sure some of them are getting away on him.

Hon. Mr. Nixon: The one thing that concerns me a little is that I believe that in showing salaries, the answer shows the range. If you want, you can say, "Everybody is at the top range." My own feeling, and I do not win this argument all the time, is that if a question is asked about a person's specific salary, it ought to be a knowable commodity. There is some concern about the privacy of these matters. The general policy that we inherited and that continues is that we report salaries in ranges.

Mr. Mackenzie: I have a brief question of the Treasurer. I listened with interest earlier to some of the questions and debate over pension plans and what happens to the money. I also listened when he responded to one of my colleagues or to the official opposition on the large sums of dollars the government is putting into the teachers' superannuation fund "on behalf of the teachers," I think were the words he used.

Hon. Mr. Nixon: On behalf of the employer.

Mr. Mackenzie: I think he said teachers. We will have to check Hansard on that. In the Treasurer's opinion, are pension contributions deferred wages?

Hon. Mr. Nixon: That matter has not been definitely decided. My own feeling is that in the situation involving pensions in general, if there is a clear commitment to pay a defined benefit, the employer has the responsibility to pay his negotiated share of that, and under the law, to maintain an additional 25 per cent.

The honourable member will recall many circumstances, including that of the teachers, when the economy of the community, nation and province was not so buoyant and employers were required to make substantial additional payments. Even in the instance of the province, we used to make regular transfers of blocks of cash, usually of about \$200 million, that did not do away with the actuarial deficit but were an indication of our good faith in that we accepted it as our responsibility.

The actuarial surplus, as recently calculated, is about \$350 million, but that is a moveable amount, depending on the economy, the general inflationary levels of salaries being paid and so on. In this connection, the honourable member will know many private pension plans do have surpluses, and the government is about to introduce legislation for first reading which

indicates our considered view on these matters. The Legislature will then deal with it as it sees fit.
16:20

Mr. Mackenzie: In his response, the Treasurer has taken us back about 10 or 15 years. Where there was an actuarial deficit, the goal was always to make it up, as the Treasurer knows, whether it was a private plan or government plans. He will also remember sitting in on some of the hearings of the select committee on pensions in Ontario, where efforts were made to improve and modernize private pension plans, and the argument we always got in terms of indexing or some other improvements was the additional cost that could not be handled.

I am going back to 1978 and 1979 and then to 1981, when we had the select committee on pensions. One of the arguments presented, and I thought almost accepted by the insurance industry during the course of those hearings, was that it had not done the best job it should have done in upgrading the plans. In that committee, one of the things we decided we would take a serious look at was indexing some of the surpluses, if not additional benefits for those receiving pensions.

Coupled with the fact that 10 years ago I am pretty doggoned sure the Treasurer would not have gotten an argument in this province that pension payments were not deferred wages, that makes me wonder why, with the surpluses, we can all of a sudden say this issue is one we have to decide and those are no longer necessarily workers' moneys in those pensions plans. It seems to me the Treasurer is taking us back 10 years in the answer he gave us, and we have not yet had a defined answer on that. I suggest those moneys do belong to the workers, and that should be part of the reform he is looking at.

Hon. Mr. Nixon: I am familiar with the honourable member's argument in this case. It is one I have heard from his party and have heard put forward very strenuously in the community.

One of the concerns the member must appreciate, although it does not fit in with his argument exactly, is that we do not have a mandatory private pension program in the province. He sat on the select committee, and it made a recommendation that we should proceed at least to consider a pension plan that would be ancillary to the Canada pension plan. They even had a very attractive acronym, PURSE. I am darned if I can tell the member what those letters stood for, but it is rather catchy. I do not think any government so far has seriously considered enacting the concept of PURSE, and even the NDP is not seriously putting that forward.

We have to remember, though, that our private pension system is not mandatory. If it is established on a basis such that the employers find it basically unfair and moneys they thought would be available to them might be locked in in the future, they have the alternative of winding down those programs, paying out the employees and that is the end of it.

The other problem is encouraging companies to establish new pension plans. This is something everybody wants to encourage. The idea of defined benefits rather than defined contributions is one we want to emphasize. If an employee is involved in one of these plans, whatever happens to the economy, he knows in the long run what his benefits will be. It is not like a person buying a mutual fund, where he may end up a very rich person or, God forbid, with even his own contributions not being found in the residue when it comes time to cash it.

A defined benefit is an important provision. The employer has the responsibility to provide his share, which should be no less than half under our new legislation or at least under the draft legislation that has been circulated. Whatever happens to the economy, the benefit must be paid. On the other hand, if the economy works in the other direction for a few years—and there is no reason to believe it will continue to be as buoyant as it is at present, although we hope it will—those surpluses should be available for removal if they are above and beyond 125 per cent of the commitment to the benefit that is agreed on.

If for some reason it is thought that the pension plan ought to be like a mutual fund and both people contribute to it and you invest it to the best of your ability, it could be that it would be extremely advantageous. If the agreement is understood and signed by both sides, including either the individual employee or his union, then those provisions must be enforced by the Pension Commission of Ontario. Among the many alternatives we are reviewing is a series of alternatives that would tighten up the role of the pension commission in assisting both sides to see that justice, equity and fairness are provided.

The argument on the other side of what the honourable member put forward so forcefully, although he has not used the legalized theft argument yet—that will probably come in his next question—

Mr. Martel: I am glad you recognize that as a problem.

Hon. Mr. Nixon: Yes. Using the phrase is a problem—

Mr. Martel: No, legalized theft.

Hon. Mr. Nixon: —because it means any rational discussion of the matter is at an end.

The member must realize our private plans are not compulsory. We want to encourage business to establish defined benefit plans that come under the rules of the province, that are portable, that are fair and that will be seen to be advantageous and attractive to employers. Otherwise, they do not have to enter into them, but they do have to participate in the Canada pension plan.

My own feeling is that rather than go for a compulsory provincial program, although that may be in the cards some time, or for this elaborate business the member recommended when he was a member of the select committee, I would like to concentrate on the improvement of the Canada pension plan in quite a significant way.

Mr. Mackenzie: I do not want to prolong this, so I will speak only once more briefly on the same topic to the Treasurer. He will have agreement from us that the real answer should be in the improvements to the Canada pension plan. During the select committee hearings, we made that argument as strongly as we could.

The Treasurer is also well aware that there is massive opposition, both from old-party governments in this country of ours and from the insurance and pension industries, to turning that kind of additional money and responsibility over to a national pension plan. It would be the fairest way, there is no question about that, but inasmuch as we do not have that drive or initiative going on at the moment, I have to come back to what I know to be a fact in terms of negotiations.

Going back five or 10 years ago—and it is the change of attitude in the recent time frame that bothers me—when you negotiated, it was a hard question. Quite often, the companies would rather put the cents per hour into wages. In some cases, it was the union's case, depending on whether it had a younger work force in the plant that wanted to see the money in its pockets right away. However, there was no question in those negotiations, not even on the part of most companies, that whatever that payment was, and regardless of what may now happen in terms of how it was invested, it was deferred wages or in lieu of wages. That principle was clearly there, and I suspect many companies did not even question that.

In my opinion, the lax way in which the pension commission has allowed employers to dip into those funds where there is a surplus has

led almost to a change in the attack on pension plans. Now it is up for question, whereas it had been pretty well decided it was something workers had finally won in this province 10 years ago. That is my concern with what is happening and why I think there is a responsibility to use those funds for the betterment of workers' plans or for indexing and not to allow companies to dip in and take that money out.

16:30

Mr. Ashe: One of the points I wanted to discuss with the Treasurer (Mr. Nixon) was brought up by my colleague. I just want to reinforce the fact that during the recent deliberations on another issue, I asked questions about the minister's offices, costs and staff costs. We will keep our fingers crossed in anticipation that this is coming momentarily.

Hon. Mr. Nixon: I have a note from one of the officials that the answer should be available by the end of the week. I hope to be able to table it on Monday.

Mr. Ashe: Thank you. We are looking forward to that, although I look upon it with a little trepidation when the Treasurer starts talking about ranges and what have you. We know the volatility of some of those ranges where they say, "It is \$30,000 to \$50,000" and that type of thing; one can speculate whether it is \$31,000 or \$49,000. I appreciate I may be stretching it a little, but I will bet those ranges are as much as \$10,000 and \$12,000. That makes a significant difference to the point we are making.

I agreed with the Treasurer's comments before. As a matter of fact, I am going to go so far as to say we are going to insist that is public information. Whether we like it or not—and I do not always think it is fair either to the employee, to be very frank—we know about those things when we choose to belong to the public service. Whether we are public servants in the context of elected or in the context of civil servants, that is the way the cookie crumbles. It is on the public record if somebody asks.

We are going to be asking for the specifics because we are fully aware that at the senior staff level and in the minister's offices, the salaries for special assistants, executive assistants, administrative assistants, or whatever title he managed to put on them, are significantly higher than under the previous administration. Those are taxpayers' dollars, 100 cents.

In the meantime, I have a couple of other areas. Knowing the Treasurer as a man who was always known previously as somewhat of a fiscal conservative—

Hon. Mr. Nixon: I am listening.

Mr. Rae: I am just giving him his instructions.

Mr. Ashe: Fine. It is nice to see the leader of the third party has some pictures that are more important than the Treasurer's estimates.

Again, getting back to the compliments, we know the Treasurer was known as a fiscal conservative, and I use that in the sense of a small-c conservative, even though he could challenge whether it was small or big from time to time. In any event, his whole, lifetime pattern, the feedback from the garage in downtown St. George would indicate that was his philosophy.

On that basis, how can the Treasurer justify that when he has a windfall—which we said he would have, by the way, within \$5 million; we said \$8 million for the year, and I suggest it will be higher than that, keeping in mind that many sources of revenue normally are higher in the second half than in the first half, such as sales tax. He has a \$405-million surplus in revenues in the first half of the fiscal year, and yet as a fiscal conservative he can put only about a quarter of the additional revenue towards reducing his cash requirements, because he literally blew \$300 million or so of that. How can he justify still being in the red in his current account?

I know the Treasurer knows what I am talking about. I realize that, but for those who may not, what I am talking about is that the current cash flow needs for current account purposes, not for capital purposes, are still several hundred million dollars in the red. That is something that has been done very seldom even in the lowest days of a poor economy a number of years ago. In most of those years, the current account was in balance.

Hon. Mr. Nixon: The ordinary or current account was certainly not in balance two years ago. In the budget statement in May, I indicated I was accepting as a major challenge the concept of balancing the current account. I am prepared to argue, as I have in the past, that for capital purposes, I believe that going into a deficit situation can be justified since the generations to come will benefit from the university buildings and roads built on a basis of capital expenditure and commitment.

The current account situation showed a substantial improvement in the quarterly report I tabled last week. I should be able to tell the member exactly what it is, but I believe it improved by at least \$100 million or more, and we are probably in deficit about \$170 million, which is the number I remember.

I am not an authority on this, as the member knows, but in the projection we made of the

additional \$400 million, that is now what the additional revenue for the entire fiscal year is expected to be. It is not for a half year with an additional half to come, although I expect that as the economy continues to burgeon the revenue projections will improve somewhat.

I have just been handed a sheet which shows the operating deficit of Ontario was \$1.2 billion in 1982, \$1.2 billion in 1983, \$615 million in 1984 and a projected \$405 million at the time of the budget this year. We have reduced that substantially with the improved performance of our revenue apparatus.

Mr. Harris: I appreciate the Treasurer's convoluted explanation, but his increased revenues were more than enough to wipe out the current account deficit. We agree roughly on how much the \$400 million has been reduced, by about \$100 million, but that still leaves much more than the \$170 million the Treasurer referred to. The projected current account deficit is still closer to \$300 million.

What is the Treasurer going to do when the economy is not quite as strong as it is now, a situation he acknowledged might happen a few short moments ago in responding to another question? We all hope it will carry on indefinitely, but in realistic and historical terms we know that is not going to happen. The Treasurer has to recognize at some time that one cannot keep spending revenue in additional great gobs when it comes in.

Going to the next part, which is an exact opposite, the Treasurer has the problem of answering it, not me. We have raised this issue before too. About 18 months ago, he and his colleagues and the Premier (Mr. Peterson) were going around the province and suggesting that as soon as they became the government, the sales tax exemption limit on takeout and fast foods would be \$4.

We had \$1, and some day we will have \$2, albeit that is part of the extra cash flow right there. When the \$2 limit comes into effect, it will practically be the end of the fiscal year anyway; so the Treasurer has an extra bonanza in that regard. If the Treasurer was not going to use most of his additional \$400 million to bring the current account into balance, why did he not use it at least to fulfil the election commitment to increase the sales tax exemption to \$4?

Hon. Mr. Nixon: Unfortunately, we had other pressing matters that had to be seen to; they had been neglected. The member may have his copy of Ontario Finances there. Under the heading "Expenditure"—that is, in-year increases

in expenditure—we have quite an impressive list, including an additional \$54 million for agriculture support payments. That had to be paid because of the unnaturally low level of grain prices. We have legislation here that tops up the federal support payments from 90 per cent of the average price over the past five years to 95 per cent. This is an Ontario improvement that is expected to cost us an unexpected \$54 million, if I have not mixed my metaphors.

16:40

The member knows that when he was in office, we experienced a rather protracted community college strike. It was decided we should force the teachers back to work—I am not sure that was the smart thing to do—and we gave the situation to an arbitrator, who found we had to pay an extra \$60 million. Somebody had to write a cheque for that. I approved it. I did not like it.

Because of increased case load, the Ministry of Community and Social Services required an additional \$10 million. It is interesting that the welfare case load is increasing at a time when our unemployment levels are not at a historic low but are at a very low level compared with the past decade. The explanation is that people from other parts of Canada are coming to Ontario to seek additional opportunities, and for a time until they find their feet, they are costing us some money. The additional \$10 million we have put into that is not going to pay the bill for the whole year.

The Ontario health insurance plan payments required an additional \$70 million above and beyond what we budgeted. The actual uptake and utilization through doctors' services was \$70 million above the \$4.5 billion we had already allocated. I am not sure that number is right on. That is a huge amount to begin with, and while \$70 million is a very large sum of money in absolute terms, it is not that large compared with the overall cost.

We had to spend an additional \$13 million in the Ministry of Housing. An additional \$40 million in the year was supplied for the Toyota assembly plant, to General Motors-Suzuki and for certain other programs we have already discussed in these estimates.

Mr. Martel: It is too bad you do not do anything in Sudbury.

Hon. Mr. Nixon: I have an extensive list of additional expenditures associated with northern initiatives; these were unexpected additional costs that made the member look good. Anybody in the House who knows the member knows it takes a lot of money to make him look good.

The list goes on with an additional \$17 million for fighting forest fires, increased employer contributions of \$12 million to the teachers' superannuation fund—which the member is deeply involved in—and so on. It was very difficult for me to snatch \$100 million out of this and apply it to the deficit, but I insisted on it and we did.

Mr. Ashe: There should have been a lot more than \$100 million. I do not know how the Treasurer spent an extra \$17 million fighting forest fires when it rained all summer. He had perhaps better look into that one. It may have been raining money up there instead of raining rain to put out forest fires. Something does not add up on that one.

There is one more area I want to deal with before passing to somebody else. I wonder what the Treasurer, as the keeper of the public purse, is going to say when the municipality of Metropolitan Toronto comes to him somewhere along the line and says to him, as he wears the hat of the Minister of Revenue: "Have we got a deal for you. We are going to put in that market value assessment you have been telling us is a good thing for so long. You said you were going to force us to do that if we had not done it by September 1986, but you are now hedging on that. We are going to do it, but this is what it is going to cost you when we do it. We know Big Daddy should take care of all those swings and take care of everybody who is below a certain level and what these swings are from the highest to the lowest."

The municipality says all that to the Minister of Revenue. Then the minister will have to change his hat and say he is the Treasurer. He is the keeper of the pot; he raises the money and what have you. What will the Treasurer say then about how much money he is going to put in the coffers of Metropolitan Toronto, which he has done in no other place in the province, with the exception of a rather unique situation in Sudbury? What is he going to tell them? How much is he going to give them?

Hon. Mr. Nixon: I am going to tell them that the policy of the government is the same as it has been in the past. The member will know that better than anybody. We are not going to make special grants to assist in reassessment that are payable in only a single municipality or a selected group of municipalities.

The mayor of Mississauga would shoot me out of the water—and she may anyway—if I were to do that without taking a busload of money to her council. We have mentioned before that the mayor and council of Mississauga, very properly

but with great courage, moved forward for section 63 reassessment of that major city. It was the largest one that was done, and it was done quite well. There have been some complaints, but in general it would seem to have been done very well.

We do not know when it will happen in Metropolitan Toronto. The member can understand that the timing of this is rather delicate. As well, he knows the resolution that called in a general way for market value reassessment across the board in Metro had five or six clauses in it.

Mr. Ashe: And it cost a pile of money.

Hon. Mr. Nixon: Yes. However, as I read it, it does not call for special money for Metropolitan Toronto only.

In my view, the property tax grants for senior citizens and the property tax credits for everybody else who pays tax in the province are very generous. When you think that they have not been significantly adjusted for five or six years, you can understand how, relatively, they were even more generous in those days. The member and his colleagues deserve a good deal of credit for their generosity—or perhaps there is some other adjective; for their judgement—in that connection.

They are there to be increased, presumably, if the resources and decision of the executive council are such that they could be increased. We are not going to do this for Toronto, but we could contemplate doing it for the taxpayers of Ontario. That might be seen by the people of Toronto and even the elected municipal politicians as an indication of our good faith and our concern that local property taxes are a substantial and growing proportion of these costs and that we ought to pay attention to their adjustment. It is a very expensive program now, and any significant upward adjustment would require quite a lot of money for it to be discerned as being significant. That is what bothers me.

In answer to the former minister's question, it is not my intention to make any special payments. Goodness only knows what the future holds. Obviously, it would be unacceptable to all other municipalities, large and small, that have undertaken reassessment on the basis of their own good and were not simply allured into it by extra dough.

The Deputy Chairman: Does the member have any further questions?

Mr. Ashe: No. I will pass now.

Mr. Warner: I have three items I wish to draw to the attention of the Treasurer. The first item

concerns the term used by the courts, "corporate piracy," with respect to certain funds that have been removed from workers' pensions and, in particular, a very troublesome case which the Pension Commission of Ontario attempted to deal with and where it found it was unable to solve the problem. The company in question was M. A. N. Lepper. It was purchased by a Mr. Sinclair, who sold it one day later. After having owned the company for one day, he laid claim to a \$1,012,000 surplus.

The employees, naturally, opposed what he was attempting to do and the matter went before the pension commission. Basically, the commission said: "The law is deficient. There is nothing we can do." The best they could come up with then was to suggest that there be negotiations between the owner and the employees and that if those negotiations were unsuccessful, the matter would be referred to the courts.

16:50

Since any reasonable person would realize that Mr. Sinclair is not entitled to the \$1 million for owning the company for one day, one can assume that the so-called negotiations will be unsuccessful and that the matter ultimately will end up in the courts. A question flows from that. If the law is deficient—and I and the pension commission believe it is—then what is the Treasurer inclined to do to repair the damage? How will he address the deficient law so that this type of perverse action cannot recur?

It really is quite obscene to think someone could own a company for a day and claim \$1 million against some of the employees who were there for 30 years and who helped to create that surplus. This was a pension that was contributed to by both the employer and the employees in equal amounts. Does the Treasurer want to deal with that question first? Okay.

Hon. Mr. Nixon: I would prefer to deal with it, not that I have the kind of answer the honourable member is going to think is good, but it helps me keep it straight in my mind. For one thing, on the basis of who owns that money, I believe the draft legislation indicates that any contribution by the employee plus interest is undoubtedly part of the permanent fund. That does not deal with the broader problem: what about the employer's contribution and the interest it earns? If that is deemed to be forgone wages, that is one thing. If it is deemed to be, as under the present law, the responsibility of the employer to meet the defined payout requirement plus 25 per cent, then anything over that obviously belongs to the company.

In this instance, the surplus in the fund would be seen by the pension commission under our present laws to belong to the owner, just as the bank account of the company belongs to the owner, as long as all of the requirements or payouts and safeguards are met.

The member might not agree with that because, as he says, Mr. Sinclair owned it for a day instead of 40 years. I think in that instance, aside from the perversity of it, it is quite legal.

Mr. Warner: It is legal. That is the problem. It is legal because the law is deficient. That is why I raise it. I want to know how we are going to change the law to protect people against this kind of piracy. It will go to court and my guess is that the employees will win in court. But why on earth should they have to go through that and incur legal bills of probably in the neighbourhood of \$30,000 in order to retrieve what is rightfully theirs? That is why I raise the question.

The second issue is one on which I have received a number of letters, and no doubt the Treasurer has as well, and I would like to read this because I think it capsulizes the issue:

"In 1983, the Teachers' Superannuation Act was amended to change the basis of calculation of pensions from the best seven years of service to the best five. This was to commence on September 1, 1984, and was made retroactive for those teachers who retired between May 1982 and August 31, 1984.

"The superannuated teachers of Ontario made a request to the biennial review committee that this change apply to all teachers who retired before 1982 and that their pensions be recalculated accordingly. The civil servants of the Ontario government on this committee turned down the request.

"As a result, the superannuated teachers feel that other avenues must be explored to achieve the result. As a member of that group, I would like to point out the following: (a) This change would not cost the taxpayer of Ontario because the moneys are already available in the fund; (b) The estimated cost to the fund is \$65 million; (c) The 1984 valuation of the fund shows a surplus of \$693 million; (d) This surplus was achieved partly because of high interest rates during earlier years; (e) This interest was on moneys, some of which were our payments to the fund before retirement; (f) This request is based on fairness, not need.

"In the light of the above and other considerations, I ask that you give this request any support possible."

That is from a constituent. No doubt the Treasurer has received similar letters. I must confess that the situation seems to me to be patently unfair. How does the Treasurer intend to respond to the people who are the recipients of this unfairness?

Hon. Mr. Nixon: We have received about 500 letters. The superannuated teachers' organization is supporting this and is persuading its members to send appropriate letters. I am not sure whether it is unfair to say that the teachers' professional organizations themselves have not as yet indicated their support or otherwise in this matter.

It is a little more complicated than the very well worded letter that the honourable member read into the record would indicate. Essentially, however, the facts are correct that the most recent actuarial review indicates a surplus of just under \$700 million. It is also true that by raising all superannuated teachers to a pension payment based on their best five years rather than their best seven would cost \$65 million extra a year.

The part where we have some difficulty is that, as I understand it and as has been traditional in these improvements, they are not paid out of that actuarial surplus. The people who are currently able to retire on the best five both now and in the future are paying 6.9 per cent of their salary as their contribution. The people who retired on the basis of the best seven years paid six per cent, almost a full per cent less, over their whole career.

For that reason, while they certainly did pay into the fund, their contribution was statistically and actuarially based on the best seven years. If we are going to enrich it, that \$65 million would be taken out of the consolidated revenue fund and not from the surplus. This is a tradition.

Mr. Warner: I am just wondering why.

Hon. Mr. Nixon: This is the way it works. It is really an enrichment for people who are already retired. We have done this going back to 1962 when I was first elected. The then Minister of Education, John Robarts, decided it was necessary to improve the low teachers' pension for people who had retired some years before when many of the salaries were under \$1,000 or \$1,200. The pension fund did not have the resources to pay it and it came out of the consolidated revenue fund.

There have been regular improvements. The most recent was to set a minimum pension of about \$8,000. A number of retired teachers are receiving pensions lower than that and we decided we should not be paying pensions lower

than \$8,000. That itself is a number that one could make quite a speech about. The additional money for that, which was not insignificant, had to be paid from the consolidated revenue fund, not from the teachers' fund, because that is there, on an actuarial basis, to pay the pensions—which, by the way, are indexed—for the people who are teaching now and who are earning an average of about \$45,000.

If we start increasing, even at four per cent, pensions based on \$45,000, we are into big bucks. Therefore, if we are going to do that, it has to be done not on a basis of justice but on a basis of—and I hesitate to use the word—charity.

17:00

There are some charity cases, and I have had them in my constituency office, one in particular over this weekend. He was a gentleman who had entered the teaching profession rather late in his working career, having come out of industry. He did not have a very long period of time to contribute, and already he has a reduced pension and got caught in all the difficulties of high inflation at a time when he was purchasing his house and had a second mortgage of 23 per cent, etc., a story that members know about.

Most of the teachers who have written me have done so on the basis that they want justice for the teachers who are retiring now. Of course, their contributions were one per cent lower. That does not sound like very much, but over a career it is a substantial amount of money. The actuarial surplus exists, but under our understanding of the law we cannot dip into that; it belongs to the teachers who are going to be superannuated. One can argue that, but the tradition is that these additional payments come out of the consolidated revenue fund, and that is \$65 million a year, which we are not prepared to undertake at this time.

I have to tell members, though, that we now have a pension advisory board, which has representatives on it who are very knowledgeable in these matters. It was set up recently to assist me as Chairman of Management Board, and also, I suppose, as Treasurer, in coming to grips with these matters. It is not a board to which we are sending any difficult problem, because my letter going back to the teachers indicates that we would have difficulty justifying this. We are asking the pension advisory board to review it again and to give us a recommendation.

Mr. Warner: I appreciate the Treasurer's detailed explanation. The money will come out of the consolidated revenue fund rather than the superannuation fund. I just did not catch the date.

Did he say it was for tomorrow that he was going to do this?

Hon. Mr. Nixon: I am sending the matter to the board for advice. My answer right now is that we are not going to do it, but I am asking for additional advice.

Mr. Warner: Okay. I thought he said he would do it tomorrow, on the basis of fairness. I appreciate his detailed explanation; it is very helpful.

My third and final item is also a letter. This time it is from the Scarborough Board of Education:

"On January 15, 1986, the Scarborough board adopted the following recommendation of the education committee:

"That the board of education for the city of Scarborough add its voice to the concerns of other groups who are challenging the provincial Treasurer's cut or change in structure of the Ontario Institute for Studies in Education."

"I understand that the general government committee has recommended that OISE remain an autonomous institution with its own board of governors that represents the educational constituencies of the province, in control of its own programs, with a stronger and clearer relationship with the faculty of education at the University of Toronto and with a long-term affiliation agreement with the University of Toronto.

"I trust that the government will accept the recommendations made by the general government committee so that OISE can continue to serve education in the province.

"Yours sincerely,

"C. A. Cowan,

"Director of Education."

I bring the letter to the Treasurer's attention because I support that recommendation by the board. Has the Treasurer, who has now had some reasonable opportunity to reflect upon this situation, reached a decision?

Hon. Mr. Nixon: It is interesting that another flurry of letters, mostly from school boards, has been generated, probably by letters going out from somebody else. I do not comment on that and I see nothing at all wrong with this bunch of letters coming in to me indicating that I should accept the recommendation from the committee. It is very interesting. I have read the letters carefully.

Without going through the whole sordid history of the pronouncement made by the Treasurer in his budget a year ago, although I participated in the review of the various commit-

tees and the private members' review in this House, I do not agree with the honourable member or with Mr. Cowan, who wrote on behalf of the Scarborough board. I am not in a position, however, to do anything more about it than bide my time. This does not mean in any way that at some future date my mind will not be changed.

Mr. McClellan: Or go blank entirely.

Mr. Martel: You are scrambled now.

Hon. Mr. Nixon: No, I am not. The letter indicated the long-term association of the Ontario Institute for Studies in Education with the University of Toronto, which itself has a faculty of education. It is an undergraduate faculty that provides certificates for a good many Ontario teachers.

If the teachers—I used to be one and may, if I am lucky, be one again—want some sort of graduate degree in pedagogy or the associated sciences and arts, they have to go to OISE to get it. It is interesting to note that the popularity of those degrees is such that most of the graduate degrees awarded by the University of Toronto are actually OISE degrees. OISE itself does not have the right to grant graduate degrees, but must return to the University of Toronto for that purpose.

A year ago, I did not think it was unreasonable to suggest that the financing of OISE should be more closely associated with that of the University of Toronto, because all its academic abilities are based on the decisions of the University of Toronto. We thought this would be a good association which would strengthen both institutions; I still believe that is the case but am not in a position to do anything about it right now.

Mr. Gregory: This morning, the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson), the member for Brampton (Mr. Callahan) and I met with the chairman and some trustees of the Halton Board of Education and the Peel Board of Education, along with the director of education. The meeting was at the invitation of the board members, who wished to express some of their concerns regarding education funding this year.

In answer to an earlier question, the Treasurer stated that the funding level this year is going to be reduced from 48 per cent to 45 per cent on transfer grants. Bill 30 and its implications have caused substantial pressure on the Halton Board of Education, the Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board.

Because of Bill 30 and the great amount of development in the Peel region, which I believe

is one of the fastest-developing areas in Canada, new schools are needed every day. The public school board calculated it needs at least one new high school per year just to stand still; the Roman Catholic board of education in Dufferin-Peel has an immediate need for five secondary schools. With the discussion that has been going on about the pooling of industrial assessment, there is a great deal of concern in the Halton and Peel boards of education and in the Dufferin-Peel separate school board.

17:10

With all these extra funds he has been getting lately from the federal government, surely the Treasurer must have something up his sleeve so he can deliver on the promise he made some time ago that the boards of education would not suffer financial losses because of Bill 30. I believe he will recall when he made that statement.

I wonder whether the Treasurer can comment on what he is going to do about it and how he is going to come up with the additional funds needed to satisfy not only myself but also the member for Mississauga South (Mrs. Marland); the member for Wellington-Dufferin-Peel; the member for Brampton, a friend of his, I believe; and the member for Mississauga North (Mr. Offer), also a friend of his. We are all in trouble together. What is the Treasurer going to do to help that board?

Hon. Mr. Nixon: There are a number of important ingredients in the member's comment and question. I want to begin by saying the policy of the government, in response to the almost unanimous support of the newly elected members of the Legislature last year, is to move forward with the appropriate funding of the extension of the separate school system to completion at the secondary level.

An additional commitment is that this would not interfere with regular education spending. This was an extremely sensitive area. A lot of thoughtful people, including many public school teachers, felt that this allocation of additional funds might well be at their expense and that the quality of public education would decrease. There was some expectation that there would be a transfer of some students. Even with this expectation, the minister has been extremely careful to keep his numbers in line so he can justify his contention, which I believe to be correct, that we are not interfering with the quality of public education *via-à-vis* separate education. I understand both are public in a more appropriate sense.

I have to be particularly careful with what I say, since the member for Scarborough Centre (Mr. Davis) is here and he is a well-known expert in these matters.

On a fiscal-year basis, the financing for separate school funding this year is expected to cost about \$107 million, and for the next full fiscal year it will be \$162.7 million. Particularly for next year, those are perhaps stated a bit more precisely than they should be, because in some communities the rate of growth is extremely high, as the member has said, and we are concerned about any dislocation that may occur as students transfer from one system to the other.

In the statement I made last week, we increased the general legislative grant by a full six per cent, which is quite a significant increase. It amounts to an allocation of \$3,415,000,000.

Mr. Davis: The government dropped the provincial funding to 44 per cent.

Hon. Mr. Nixon: We went through all that before the member came in. I cannot go over it again, because I proved to the satisfaction of every reasonable member of the Legislature that our allocation of dollars in this regard is appropriate and sufficient.

In addition, the Minister of Education has expressed his concern to the Treasury and to the policy and priorities board of cabinet about the spectacular and almost unexpected rate of growth in some areas, particularly around Metropolitan Toronto. Is the member referring to north Mississauga or north Peel?

Mr. Gregory: It is the Halton-Peel area.

Hon. Mr. Nixon: Yes. I am sure that is one. My geography is a bit limited, but I think north or northeast Metro is another area where the rate of growth has been described as even greater than it was in those boom years immediately following the Second World War when we had such a problem providing educational facilities and we had portable classrooms by the hundreds being provided by the previous government.

Mr. Davis: The government is supplying them now. There are 232 in Durham.

Mr. Chairman: Order.

Hon. Mr. Nixon: I am trying to indicate to the member and to my chief critic, who has just joined the debate, that we do not want to have to depend on portables, but it has been done before. We are doing our best to provide well-qualified teachers and reasonable accommodation as these concentrations of students seem to be changing in a very rapid way.

We have allocated a pile of money for this. With the perspicacity of the Minister of Education and the assistance he has from his officials, we feel sure these young people will be properly provided for. We depend on people such as the member who has asked the question and his colleagues who have been directly affected by the problems in north Peel and the surrounding counties for their advice. That is why these discussions are valuable. I will make sure the Minister of Education is aware of the special problem the member is bringing to the attention of the House.

Mr. Chairman: The member for Scarborough East—I am sorry; the member for Mississauga East. They are both parts of Toronto; so that is close enough.

Mr. Gregory: It gave me time to figure out “perspicacity.” That is very nice; it is not a word normally used by a nescient troglodyte, I suppose.

The Treasurer has told me he is going to increase funding by six per cent. That is all well and good, but what are the school boards going to do about the loss? Better still, what is the Treasurer going to do to help them solve the problem of the loss in assessment that is going to be suffered by the public school boards through support being transferred to the separate school boards?

I had better speak specifically of Mississauga, because I am not too familiar with the tax base in Brampton or Caledon. About 60 per cent of the the taxpayers’ bill goes to the school board. Under Bill 30, I suspect most of the transfers will be from public to separate schools. Even though the government says they will not have as many students, they still have the physical plants that they must carry on with. There might be fewer students in them, but they still have the same physical plants. However, they will be losing the assessment from those people, which means in effect all the taxpayers will have to pick up a greater share of the overall tax bill for public school education.

The only way that can be helped is if the Treasurer, in his generosity, is able to convince his cabinet colleagues and the Minister of Education that additional grants will be required to compensate for this factor, particularly in large-growth areas.

One other factor is that in an area of Mississauga, and I will speak about my own area of Mississauga East, a very large percentage of people moving into new homes and adding assessment are separate school supporters. I am

not saying they all went to separate schools, but they are separate school supporters. In other words, they are of the Roman Catholic faith. Under this new bill, they will be going to separate schools. Therefore, the new assessment that comes into Mississauga will go to the separate schools for the most part.

The problem will be with the funding. What are the public schools going to do about this? What is Peel-Halton or Peel—I keep saying Peel-Halton, but I think the problems are not unlike—what will the Peel Board of Education do to keep its schools going while losing all its assessment? How are the poor trustees ever going to get re-elected when they increase the taxes by 50 per cent, which they will have to do?

17:20

Hon. Mr. Nixon: I do not believe the trustees are going to be faced with that eventuality. I want to comment on this, and this is my own perception.

While we have a commitment that we will not allow the funding of the expanded separate system to interfere with the quality of public education, I do not think there is a commitment that the same number of dollars, irrespective of the number of students involved, will be paid; that is, numbers of students transfer—and the members of the public board might not like to see this happen—to the jurisdiction of the separate board and then the responsibilities and therefore the costs of the public board are reduced.

The honourable member makes a good point that the plant—the numbers of buildings, the heating costs and whatever—is still there, except that is not entirely true. As long as there is a good spirit of co-operation, it is quite possible that the growing board is going to take over some of the responsibilities of the public board, whose responsibilities are contracting; in some areas contracting or reducing quite a bit.

I have heard of some jurisdictions where the public school board has indicated it is not anxious to allow the separate school board to take over the responsibility for schools that might not be fully utilized. Unless the public boards take steps to rationalize the utilization of the schools, there is going to be a substantial problem. If they lose a significant number of their students without taking steps to see that a significant area of cost and responsibility is also reduced, then obviously there is going to be a problem that even the perspicacious Minister of Education may not be able to solve fully and to the satisfaction of all concerned.

There is no doubt, and we have said this from the beginning, which for us was 1970 and not 1983, that there has to be a substantial spirit of co-operation, with maybe even the sharing of facilities in some instances. As a matter of fact, in the Brantford area—although this is not strictly analogous since it deals with the elementary panel to some extent—the public and separate boards are building schools with some substantially shared recreational and I believe shop facilities, heating plant and so on.

We are not talking about everybody building new; that is the last thing we want to recommend. We want to make good use of the very good plant and established facilities we have now. We cannot afford to allow them to be largely underutilized or even wasted when the growth in the other panel and the other sector of the public system is so great.

Obviously, many communities are going to suffer a kind of dislocation that is going to be extremely difficult. It is the responsibility of the minister and the Treasurer to assist as much as we possibly can in this, as long as we can be assured, as I am sure we can be in this instance, that there is good co-operation between the two school boards in the utilization of the plant we have. Without the growth of the plant, the numbers of students remain the same. When there is substantial growth, then obviously we have to fund new schools anyway.

Mr. Gregory: I think the Treasurer told me there are not going to be any one-time grants to assist in this transformation. I believe that is what he said.

Hon. Mr. Nixon: I did not say that, because I am not sure whether there will be. I should be sure but I am not.

Mr. Gregory: With the proper persuasion, the Treasurer could be convinced there should or could be additional grants to compensate?

Hon. Mr. Nixon: I do not want to mislead the honourable member at all. I know the commitment of the government and the minister is that we want to be as helpful as possible. I do not know or recall whether there is any sort of program for adjustment in special circumstances. Quite often the member will know that there is, but I am not aware that there is. If we need one, the person to convince is not the Treasurer but the Minister of Education.

Mr. Davis: Your minister has already said he is not going to do it, but you know you need one.

Hon. Mr. Nixon: The honourable member, who has gone through many years or many

months of consultation at the committee stage with the minister, knows that if the minister has said there is not one, then there is not.

Mr. Chairman: The member for Mississauga South. We are running short of time. Will members please keep it short and keep their eye on the clock?

Mrs. Marland: I have been listening to the minister describing what he understands to be the situation in the region of Peel, but I do not hear him giving answers that are a solution.

The concern I have is that the Minister of Education should acknowledge that the region of Peel in itself is different and has very special needs. It is the largest public board in Canada and it is the only board with an increasing enrolment. I am speaking now of the public board. The minister is fully aware of the problems with the Dufferin-Peel board. We have a situation requiring special funding associated not only with growth but also with the type of urban development such as inner-city schools have. I wonder whether the minister will support any request for that kind of recognition.

I realize the minister has to deal in generalities when handing out funding for education province-wide, but would he be willing to assist the Dufferin-Peel Roman Catholic Separate School Board and the Peel Board of Education because of their individuality and because of their problems associated with growth and the accompanying needs?

One such need is for the replacement of equipment, which they do not have any money for now, replacement of equipment while growing and requiring new capital equipment. Would the Treasurer consider identifying that individual need for those two boards and looking at the gap between the two panels, for example? Is that something the Treasurer will help the Minister of Education deal with in the case of the Peel board and the Dufferin-Peel board?

Hon. Mr. Nixon: I was not aware that the Peel board is the largest public board in Canada. I am very interested to know that. I drive through Mississauga twice a day and keep my eyes peeled.

The member for Mississauga South is talking about the difference in the two panels, and this is something that has historically been a problem. I recall making speeches as a teacher and as a parent, indicating that the money spent in the elementary panel was more valuable than that spent in the secondary panel and that the sensitivity of the kids at that stage and their requirement for quality was probably greater

even than at the secondary level. During those years the requirements for qualification for elementary teachers changed from just a certificate and perhaps grade 12 to a university degree.

All I can say is that as Mississauga very rapidly becomes a huge board with big-city problems, I am sure the ministry will give it every consideration, as it did with Toronto during its days of rapid growth.

Mr. J. M. Johnson: In the few minutes remaining, I want to go on record as supporting the member for Mississauga East (Mr. Gregory). I sat at the same meeting as he did this morning, and the Peel Board of Education has expressed concern, as the member for Mississauga South (Mrs. Marland) has also indicated to the Treasurer.

One other concern they expressed was on Bill 82, the special education bill. The education system is now faced with the responsibility of handling a program that was formerly handled by the Ministry of Community and Social Services. Can the dollars freed up from that ministry be transferred to the Education portfolio so that it can use the same dollars?

I also want to ask for the Treasurer's consideration of the very serious financial problems that our Ontario farmers have, especially in view of the Food Security Act, the US farm bill which will be putting approximately \$35 billion into the economy of the US farm community. We have to compete with that. The Treasurer must be supportive of the Minister of Agriculture and Food (Mr. Riddell) and come up with some policies, along with the federal government, to support our farmers or we are

going to face some very serious problems in my part of the country and in the Treasurer's as well.

One consideration the Treasurer could look at in the future is the property tax reform that was brought in a few years ago when we increased the property tax rebate to farmers from 50 per cent to 60 per cent. Many farmers would like to see no taxes on land and farm buildings and for the taxes to go on the residential section instead of the 60-40 split we have at present.

Hon. Mr. Nixon: In the few seconds left, I agree with the member's contention about property tax reform, which was almost successfully achieved four or five years ago under the previous government. It was a good reform and one that should be given additional consideration. The member should write to my colleague the Minister of Agriculture and Food. I know he would be anxious to have the member's views.

I am glad the member also mentioned Bill 82. That is a very important and innovative piece of legislation that gives the responsibility to the local board to educate all the people in the community. This includes the whole range of special requirements involved with brilliant and handicapped children in a wide variety of situations. In this connection, I know the House is anxious that adequate funding be provided.

Votes 1001 to 1004, inclusive, agreed to.

Mr. Chairman: This completes consideration of the estimates of the Ministry of Treasury and Economics.

On motion by Hon. Mr. Nixon, the committee of supply reported certain resolutions.

The House adjourned at 5:34 p.m.

ERRATA

No.	Page	Column	Line	Should read:
62	3231	1	12	made to me on October 14, as quoted in Hansard,
62	3238	1	53	Insurance Co., signed by Janice Trask, who is the
62	3238	2	18	clipping here that says Serge LaPalme, president of Gore Mutual Insurance Co., predicted that
63	3313	1	19	Mr. Dean: I would like to

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

LEGISLATIVE BUILDING STAFF

341. Mr. McLean: Would the acting Minister of Government Services supply the following information of all staff hired, names and their positions within the Legislative Building, including telephone operators, the date hired and salaries, since June 26, 1985? [Tabled July 8, 1986]

Hon. Mr. Conway: The information requested on names, positions, date hired and salaries of all staff hired within the Legislative Building, including telephone operators, between June 26, 1985, and July 8, 1986, is provided in the two following tables.

MGS Classified Staff
Legislative Bldg.—June 26/85 to July 8/86

Name	Position	Salary Range (Per Annum)	Date of Hire
J. Sheppard	Carpenter	\$26,966–\$27,592	April 14/86
K. Palatsidis	Cleaner Nights	salary less than \$20,000 per year	July 15/85
N. Barac	Cleaner Nights	salary less than \$20,000 per year	Aug. 26/85
L. Benhaggi	Cleaner & Helper Nights	\$20,433–\$20,892	July 8/85
O. Kyrkos	Cleaner & Helper Nights	\$20,433–\$20,892	July 29/85
S. Diacoumacos	Cleaner & Helper Nights	\$20,433–\$20,892	Sept. 9/85
D. Aarons	Usher & Messenger	salary less than \$20,000 per year	March 10/86

MGS Unclassified Staff
Legislative Bldg.—June 26/85 to July 8/86

Name	Position	Salary Range (Per Annum)	Date of Hire
F. Aurillia	Usher & Messenger	salary less than \$20,000 per year	July 22/85
L. Belsher	Usher & Messenger	salary less than \$20,000 per year	Aug. 26/85
K. Nguyen	Usher & Messenger	salary less than \$20,000 per year	Sept. 9/85
C. Platten	Usher & Messenger	salary less than \$20,000 per year	Oct. 15/85
T. Abbatangelo	Usher & Messenger	salary less than \$20,000 per year	Feb. 10/86
D. Diamond	Usher & Messenger	salary less than \$20,000 per year	March 17/86
J. Joannou	Usher & Messenger	salary less than \$20,000 per year	March 24/86
M. Regueiro	Usher & Messenger	salary less than \$20,000 per year	April 21/86
J. Gora	Clerk 3, General	\$18,954–\$21,070	April 1/86

CHEMICAL SPILL

382. Mr. Sterling: Would the Minister of the Environment table all reports relating to a chemical spill which occurred in early May 1986 by Hilan Wood Preservative Co. in Kemptville? Will the minister assure the residents of the area that there is no danger to the ground water and wells of the area? [Tabled October 14, 1986]

Hon. Mr. Bradley: On April 24 and 25, 1986, Hilan Wood Preservers of Kemptville deposited a waste material, known as wood preservative chemical, on site. At the request of the ministry, the company retained a consultant to conduct an onsite hydrogeological study to address potential environmental effects of the deposit. The company will be holding a public meeting on October 27, 1986, to present the results of the hydrogeological study. It is expected that a copy of the report will be available at that time.

The ministry has been monitoring 10 domestic wells adjacent to the site since May 1986. The ministry is providing an alternative water supply to five residences as a precautionary measure. Monitoring of the domestic wells will continue in order to assure residents of the area of a water supply which meets Ontario drinking water objectives. In addition, again at the request of the ministry, Hilan Wood Preservers will be addressing onsite remedial measures to alleviate any further potential contamination of ground water.

PUBLICATION COSTS

389. Mr. Dean: Would the Minister without Portfolio responsible for senior citizens' affairs provide an itemized budget for the quarterly publication of the Ontario Advisory Council on Senior Citizens, Especially For Seniors? [Tabled October 15, 1986]

Hon. Mr. Van Horne: The itemized budget for the publication of Especially for Seniors in the fiscal year 1986-87 is as follows:

Costs: Mailing, \$240,600; returned mail, \$9,100; editor, \$20,000; translation, \$8,000; typesetting, \$6,000; printing, \$176,800; labels, \$11,200; total, \$471,700.

Number of issues: Printed, 3,542,000; mailed, 3,534,000.

The Ontario Advisory Council on Senior Citizens retains a small number of each issue for records purposes and to respond to individual requests for the publication.

MAILING LIST

390. Mr. Dean: Would the Minister without Portfolio responsible for senior citizens' affairs

provide the complete mailing list, names and address, for the quarterly publication of the Ontario Advisory Council on Senior Citizens, Especially For Seniors? [Tabled October 15, 1986]

Hon. Mr. Van Horne: The mailing list for the Especially for Seniors publication is derived from an old age security database maintained by the Department of National Health and Welfare in Ottawa.

The release of this information for use by the Ontario Advisory Council on Senior Citizens is the subject of a legal agreement under the Old Age Security Act. The information is confidential and cannot be released by the Ontario Advisory Council on Senior Citizens for any other purpose.

AID TO AUTOMOTIVE INDUSTRY

391. Mr. Brandt: Would the Minister of Industry, Trade and Technology indicate any financial assistance given to Levy Auto Parts of Toronto? [Tabled October 15, 1986]

Hon. Mr. O'Neil: Preliminary discussions were held with Levy Auto Parts some five years ago, but no financial assistance has been given to the company.

SPILLS BILL

392. Ms. Fish: Would the Minister of the Environment advise the House what, outside of increasing liability costs, the spills bill has effected? Specifically, have any charges been imposed to cover cleanup costs for any incident covered by the bill, and if so, when, for which incident, upon whom and for how much? [Tabled October 15, 1986]

Hon. Mr. Bradley: Premiums for liability insurance are on the increase all over North America, not only in Ontario. The ministry has no evidence that part IX of the Environmental Protection Act has had any measurable impact on liability insurance costs in Ontario.

At the time part IX came into force on November 29, 1985, the ministry established the spills action centre (SAC), which receives notification of spills 24 hours per day, 365 days per year on a province-wide toll-free number. SAC also handles other urgent complaints or inquiries primarily during the hours when other ministry offices are closed. SAC represents a step forward in the ministry's ability to respond effectively and consistently to spills and other environmental concerns. As well, the ministry is increasingly aware that municipalities, industry and carriers are much more careful in carrying

out their responsibilities so as not to adversely affect the environment.

The ministry has spent money on the cleanup of two spills.

Between 7 p.m. on September 14, 1986, and 8 a.m. on September 15, 1986, approximately 500 gallons of bunker oil were discharged from Ibbitson's Greenhouse in Orillia township, concession 5, south side of Severn River. Approximately 100 gallons of the bunker oil made their way into the Severn River. The ministry spent \$16,159.34 to clean up the spill. A decision to recover the costs associated with the cleanup of the spill has not been made.

On April 24, 1986, a tarlike material was discovered in the Rideau River at Ottawa. The material came from coal-tar-contaminated water via a storm sewer connected to the Lee's Avenue transitway station pumping station owned by the regional municipality of Ottawa-Carleton (RMOC).

The ministry is investigating the extent of the contamination. A land study is being done by Interra Technologies Ltd., and a water study is being done by Proctor and Redfern Ltd. The ministry is using funds from the ministry's security fund for environmental contingencies.

The ministry was prepared to issue an order under part IX for the cleanup of the Lee's Avenue station and the Rideau River. However, RMOC is proceeding with the cleanup of the Rideau River and is treating the contaminated material from the Lee's Avenue station.

As yet, the ministry has not imposed financial charges on RMOC to cover the costs of the ministry's investigations into the matter.

As well, the ministry has not imposed financial charges on any other discharger to cover cleanup costs associated with a spill under part IX.

All other dischargers are directly compensating others who incur damages or costs as a result of a spill. The ministry does not have records of these financial transactions which result from incidents covered by part IX.

RECRUITMENT OF SKILLED WORKERS

399. Mr. Jackson: Would the Minister of Skills Development provide the names of all companies who have sought and/or gained permission from the ministry to seek skilled tradespeople from out of Ontario and/or Canada since June 26, 1985, the number of workers sought in each case and the type of skills required? [Tabled October 16, 1986]

Hon. Mr. Sorbara: No firms have sought permission from the Ministry of Skills Development to seek skilled tradespeople from outside of Ontario and/or Canada since June 26, 1985. Permission from my ministry is not required to seek skilled tradespeople.

YOUTH EMPLOYMENT CENTRES

400. Mr. Jackson: Would the Minister of Skills Development provide copies of the audited financial statements for 1984-85 and 1985-86 from the Hamilton Youth Employment Counselling Centre, North Bay Youth Employment Counselling Centre, Bradford Youth Employment Counselling Centre, Simcoe Youth Employment Counselling Centre and North York Youth Employment Service? [Tabled October 16, 1986]

See sessional paper 226.

INTERIM ANSWERS

380. Mr. McLean: Hon. Mr. Fulton—The ministry will require additional time to canvass all ministries and assemble the information needed to answer this question in the detail requested. An answer should be available on or about January 15, 1987.

387. Mr. McCague: Hon. Mr. Keyes—Additional time is required in preparing a response to this question. An answer will be tabled on or about March 2, 1987.

395. Miss Stephenson: Hon. Mr. Nixon—The information requested will take longer than the normal 14 days to prepare. Claims for travel expenses relating to trips taken during October would not be cleared until late November or early December. Allowing time for the additional information to be assembled, the answer should be available by about January 29, 1987.

407. Mr. Sterling: Hon. Mr. Keyes—Additional time is required in preparing a response to this question. An answer will be tabled on or about December 1, 1986.

411. Mr. McCague: Hon. Mr. Nixon—The ministry will require additional time to provide the information required by this question. The answer should be available on or about December 1, 1986.

412. Mr. Philip: Hon. Mr. Keyes—Additional time is required in preparing a response to this question. An answer will be tabled on or about December 18, 1986.

RESPONSE TO PETITION

ADULTS-ONLY APARTMENTS

Sessional paper 177, re Bill 7 (adults-only apartments).

Hon. Mr. Scott: The underlying principle of the Human Rights Code is that individuals should not be judged on the basis of stereotypical assumptions because of the group to which they belong. Therefore, while it may well be the case that some children are noisy or damage property, it obviously cannot be said that this is the case for all children. Yet subsection 20(4) of the Human

Rights Code permits this assumption to be made and has created an enormous hardship for many families who have been unable to find housing.

While it is appreciated that there are those who prefer to live in adults-only buildings, preference cannot justify the discrimination against and hardship experienced by families.

CONTENTS

Monday, November 17, 1986

Members' statements

Labour relations legislation , Mr. Barlow.....	3333
Aid to disabled , Mr. R. F. Johnston	3333
Trade mission , Mr. Ferraro	3334
Death of former member , Mr. Rowe, Hon. Mr. Nixon, Mr. Martel, Ms. Caplan	3334
Land transfer , Mr. D. S. Cooke	3335
Recognition of disabled athlete , Mr. Reycraft	3335
Courthouses , Mr. Bernier	3335

Statement by the ministry and responses

Nansen Medal , Hon. Ms. Munro, Mr. Grossman, Mr. Rae	3336
---	------

Oral questions

Nuclear power plant , Mr. Grossman, Hon. Mr. Kerrio.....	3337
Property assessment , Mr. Grossman, Hon. Mr. Nixon.....	3338
Nuclear power plant , Mr. Rae, Hon. Mr. Kerrio.....	3339
Nursing homes , Mr. Rae, Hon. Mr. Peterson.....	3340
Rental housing , Mr. Gordon, Hon. Mr. Curling	3341
Nuclear safety , Mr. Charlton, Hon. Mr. Kerrio	3341
Rental housing , Mr. Cousens, Hon. Mr. Curling.....	3342
Pension funds , Mr. McClellan, Hon. Mr. Kwinter.....	3342
Alzheimer's patients , Mr. Dean, Hon. Mr. Sweeney	3343
Residential rent regulation legislation , Mr. R. F. Johnston, Hon. Mr. Curling, Mr. Reville	3343
Sunday trading , Mr. Gordon, Hon. Mr. Keyes	3344
Energy from waste plant , Mrs. Grier, Hon. Mr. Bradley.....	3345
Waste disposal , Mr. McLean, Hon. Mr. Bradley	3345
Special education , Mr. Allen, Hon. Mr. Conway	3346
Social assistance , Mr. Cousens, Hon. Mr. Sweeney	3347
Land use , Mr. D. S. Cooke, Hon. Mr. Curling	3347

Petitions

Sunday racing , Ms. Bryden, tabled.....	3347
Naturopathy , Mr. Epp, tabled	3348

First reading

Representation Amendment Act , Bill 148, Mr. Villeneuve, agreed to	3348
---	------

Committee of supply

Estimates, Ministry of Treasury and Economics , Hon. Mr. Nixon, Mr. Barlow, Mr. McClellan, Mr. Philip, Mr. McCague, Mr. Mackenzie, Mr. Ashe, Mr. Harris, Mr. Warner, Mr. Gregory, Mrs. Marland, Mr. J. M. Johnson, agreed to.....	3348
--	------

Other business

Legislative pages , Mr. Speaker	3333
Adjournment	3370
Errata	3370

Appendix**Answers to questions in Orders and Notices**

Legislative Building staff , question 341, Mr. McLean, Hon. Mr. Conway	3371
Chemical spill , question 382, Mr. Sterling, Hon. Mr. Bradley	3372
Publication costs , question 389, Mr. Dean, Hon. Mr. Van Horne	3372
Mailing list , question 390, Mr. Dean, Hon. Mr. Van Horne	3372
Aid to automotive industry , question 391, Mr. Brandt, Hon. Mr. O'Neil.	3372
Spills bill , question 392, Ms. Fish, Hon. Mr. Bradley	3372
Recruitment of skilled workers , question 399, Mr. Jackson, Hon. Mr. Sorbara	3373
Youth employment centres , question 400, Mr. Jackson, Hon. Mr. Sorbara	3373
Interim answers , questions 380, 387, 395, 407, 411 and 412.	3373

Response to petition

Adults-only apartments , sessional paper 177, Hon. Mr. Scott	3373
---	------

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Ashe, G. L. (Durham West PC)
Barlow, W. W. (Cambridge PC)
Bernier, L. (Kenora PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Breagh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Caplan, E. (Oriole L)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Cousens, W. D. (York Centre PC)
Curling, Hon. A., Minister of Housing (Scarborough North L)
Davis, W. C. (Scarborough Centre PC)
Dean, G. H. (Wentworth PC)
Edighoffer, Hon. H. A., Speaker (Perth L)
Ferraro, R. E. (Wellington South L)
Gordon, J. K. (Sudbury PC)
Gregory, M. E. C. (Mississauga East PC)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Johnston, R. F. (Scarborough West NDP)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Mackenzie, R. W. (Hamilton East NDP)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McLean, A. K. (Simcoe East PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Reycraft, D. R. (Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Villeneuve, N. (Stormont, Dundas and Glengarry PC)
Warner, D. W. (Scarborough-Ellesmere NDP)



No. 65

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Tuesday, November 18, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 18, 1986

The House met at 1:30 p.m.

Prayers

MEMBERS' STATEMENTS

LOW-ALCOHOL PRODUCTS

Mr. Gordon: I would like to draw to the attention of the House a matter that I know is of concern to the parents in this province. It is an issue we have brought up many times in this House over the past year, that of low-alcohol drinks being sold to children.

Parents are very worried about these low-alcohol drinks, in that very young children in particular, children who may be on medication, children who are taking cough medicine or children who are very low in body weight will be impaired and will have their balance or judgement affected by them. We know children who are on medication should not have any alcohol given to them.

Will the minister take steps? It is obvious the Royal Canadian Legion is going to boycott Labatt's as a result of this. It is talking about it. Something has to be done about this whole topic and this drink called Sarasoda.

It has gone on for over a year. The minister said he was going to talk to the stores about the product. A year has passed, and we have not seen any real action on the subject. We believe this is a danger to young children. We want something done about it right now.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: Today I am going to move a private bill to amend the Occupational Health and Safety Act. I find it a strange irony that in our society the people who are in the work place have absolutely no control over the injuries they sustain or the toxic substances to which they are exposed.

It is a real oddity that in our society we plough \$31 million into the Industrial Accident Prevention Association to teach health and safety, but to the workers we give absolutely nothing save \$1.7 million. Workers have no control over the work place environment; the Ministry of Labour constantly refuses to assist them; and the very people who are fighting occupational health and

safety, the management in this society, get the benefits with which to protect themselves.

I intend to move this bill today. It is going to do a number of things for workers. First, it is going to give them a predominance on the health and safety committees whereby they can control some of the things to which they are exposed. I want to give the committee the power to identify situations that may be a threat to their health; conduct tests of the work place conditions; hire independent agencies to conduct tests of the work place conditions; and approve any machinery, chemicals or innovations before they are introduced to the work place. It will provide a whole series of things that, for the first time, will give workers protection in this province.

ALZHEIMER'S PATIENTS

Mr. Andrewes: November is Alzheimer's Month. It provides us an opportunity to raise the level of awareness of and knowledge about a disease from which an estimated 300,000 Canadians suffer. Few other diseases challenge to the same degree the diagnostic skills of doctors or the patience and understanding of the families of those whom it afflicts.

The Progressive Conservative Party recently called for the implementation of a \$15-million fund to address specific needs of Alzheimer's patients. The fund would be directed towards special training in detection, assessment and care; the training of families of Alzheimer's victims; the expansion of present day care and day hospitals to accommodate patients; and respite care for Alzheimer's victims so that their families might have some relief from their day-to-day responsibilities.

In heightening the awareness of the disease, Alzheimer's societies across Ontario act as advocates on behalf of victims and provide support for the victims' families. The government has an obligation to parallel this excellent work.

AUTO PACT

Mr. Breaugh: I want to make some remarks today about the Canada-US auto pact. The reason I do so is that last week we were rather surprised to find out that the federal government was

indeed negotiating the auto pact under its free trade agreement.

It was compounded even further by a visit by the federal Minister of Finance through my area, where he reiterated that the federal government was interested in renegotiating the auto pact and thought this was a good idea. It is compounded even more by statements made by our chief negotiator in these talks, who again reiterated that he too thought renegotiating the auto pact was a good idea.

I want to make it clear that I do not, nor to my knowledge does any knowledgeable person in the Canadian auto industry, believe this is a good time to renegotiate the auto pact, particularly for my community where General Motors is sinking \$2-billion worth of investment into new plant facilities in Canada. That same corporation is closing 11 plants in the United States.

I do not think we should renegotiate the auto pact. If we do anything around the auto pact, it should be to bring all offshore producers who are now manufacturing products in Canada under the auto pact, something we have not done. I believe it is a matter of great importance to the people of Ontario. I would like to see the Premier (Mr. Peterson) make statements in this House to indicate firmly his position on the auto pact and these renegotiations and what his proposals are to correct what I consider to be a very serious mistake on the part of the federal government.

MISSISSAUGA CITIZENS OF THE YEAR

Mr. Offer: It is my pleasure to inform the House of the 1986 Outstanding Young Citizens of Mississauga Awards, which were handed out last week.

The quality of life in any community depends a great deal upon the spirit of goodwill and co-operation that exists among its residents and on their willingness to assist their fellow man. Each year the Mississauga Jaycees pay tribute to three individuals who exemplify this spirit and who have helped to make their city a better place in which to live.

It is my pleasure to congratulate this year's three Outstanding Young Citizens Awards winners. Bradley Wickham-Butt has been an exemplary student and citizen in the community. Michael Parsons's fund-raising efforts on behalf of many worthwhile causes have been very successful. Glen Charles was instrumental in founding the Credit Valley Golf Tournament and the Mississauga Rotoract Club.

It is my pleasure to congratulate these young men and wish them well as they represent Mississauga at the upcoming Vanier Awards.

HIGHWAY SAFETY

Mr. Hennessy: I want to bring to the attention of the Minister of Transportation and Communications (Mr. Fulton) the lack of safety on the Lakehead Expressway and the Harbour Expressway in Thunder Bay. During the second weekend in November, there was a serious accident on the expressway that could have been prevented had the highway been properly lighted.

Unfortunately, this accident was not the first. I have written to the minister asking for a study of the situation. At the very least, there should be vapour lights at each intersection and concrete divider lines similar to those found on Highway 400.

The Thunder Bay Expressway is a very important road for tourism and business. It is a key transportation artery. This government claims to have the concerns of northern Ontario close at heart. To this effect, I have written my concerns to the Minister of Transportation and Communications and gave them to him yesterday.

With the winter weather closing in, I ask the minister for an immediate study on the Lakehead Expressway, the Harbour Expressway and Golf Links Road. It is unacceptable that motorists travelling on these highways should have to drive in these unsafe conditions.

I ask the minister to look into this matter as soon as possible.

HOSPITAL FUNDING

Mr. Warner: I was very disappointed with the response of the Minister of Health (Mr. Elston) when I asked a question last Thursday regarding the renal dialysis program at Scarborough General Hospital. His answer is not one whit different from the answers we got when the Conservatives were in charge of the health care system, namely, leave it up to a district health council, even if it does not seem to be sufficiently organized to make a decision.

This program is desperately needed, not only in Scarborough but also in the surrounding area. The time for leadership is now. It is not enough to hide behind some council that simply delays and delays. The time for leadership is now, and this minister has the responsibility to exercise that leadership.

I ask him once again to make a decision on behalf of more than half a million people in Scarborough. We need the renal dialysis program.

Mr. Harris: Mr. Speaker, on a point of order: We are about to start ministerial statements and

we are ready to move into question period. There are about five ministers of the crown in the Legislature. This is one of the problems we talked about. We were willing to start at 1:30, providing the government was prepared to deal with business at 1:30. They had five people from the government benches in the House at 1:30. They do not have ministers in here. They do not have statements. I suggest we adjourn for 10 minutes until they get their act together and we can proceed with the business in an orderly way.

Mr. Speaker: I appreciate the comments of the member for Nipissing (Mr. Harris); however, I will call for ministerial statements.

13:43

STATEMENTS BY THE MINISTRY AND RESPONSES

MUNICIPAL GOVERNMENT

Hon. Mr. Grandmaitre: I have the honour of releasing the report prepared by the Task Force on Representation and Accountability in Metropolitan Toronto. That report was presented to Metro and area councillors earlier today. Entitled Analysis and Options for the Government of Metropolitan Toronto, the report is the work of staff representatives from Metro, the six area municipalities and from the Ministry of Municipal Affairs.

Le groupe de travail a consacré 10 mois à l'étude de la structure actuelle et des options qui s'offrent dans le cas du gouvernement de cette municipalité, qui compte plus de deux millions et demi de personnes. Il a exposé en détail différents modes de sélection du Conseil de la communauté urbaine et de son président.

J'aimerais expliquer aux députés pourquoi j'ai choisi cette approche consultative pour essayer de résoudre les questions de sélection et de fonctionnement du Conseil de la communauté urbaine de Toronto.

This government has a clear commitment to open government, to a process that constantly seeks dialogue with those who will ultimately be affected by the decisions we make.

In the case of accountability and representation in Metropolitan Toronto, clearly the opinions of those living the system, the municipal politicians, are vital to this process.

Before the government and this House make a final decision, we must have the benefit of their expertise and experience. The task force report details a number of options for selection of council and for choosing the chairman. Some of the options fit each other better than others. I told them we will all have our own opinions on which

combination of options is the best to serve the people who live in this complex and dynamic municipality. Indeed, I have mine. I would like to see the chairman elected somehow and I would like to see what can be done to allow metropolitan councillors to devote more time and be more accountable for how they deal with Metro issues.

These changes could have a number of ramifications. Indeed, if the option of direct election is chosen, and this is something that has been given a great deal of consideration and support from some municipalities, this might necessitate a change in the size and structure of Metro council to ensure efficient and responsive government.

I hope this is something the municipalities will specifically address in their response to the task force report. I look forward to all comments and suggestions. I have encouraged the municipalities to involve the public in this process. I have requested the municipalities' comments by March 31, 1987.

Having completed the consultation process, I hope to introduce legislation before the end of the spring session to meet our target of royal assent in the fall of next year and to have changes in the system in place well before the 1988 municipal elections.

Mr. Gregory: I want to make a comment or two on the remarks of the Minister of Municipal Affairs (Mr. Grandmaitre), which I find quite incredible. This honourable gentleman declares he is talking about the open government over there. We have been trying to get some information from the Treasurer (Mr. Nixon) for weeks, with no answer whatsoever, in an area the Ministry of Municipal Affairs should be handling.

The minister has made the statement that he is going to investigate the task force report, but he has already made his decision. He says he would like to see the chairman elected directly in some fashion. I find that incredible from the minister who just appointed a mayor in Chapleau. That is quite interesting, is it not?

If he has desires for the wellbeing of Metropolitan Toronto, he might use his great influence on the Treasurer and Minister of Revenue to open up the system of tax reform in Metro Toronto, which is really needed. He should do something important instead of fooling around with this sort of thing.

Mr. Harris: I listened with interest to the minister's statement that "this government has a clear commitment to open government, to a process which constantly seeks dialogue with

those who will ultimately be affected by the decisions we make.”

The minister made that statement with reference to Metro Toronto. I find it absolutely appalling that while one minister is making this kind of statement, another minister is covering up and hiding a report of far more importance to Metro Torontonians, their market value assessments, and he is asking Metro council and the people of Metro Toronto to make a very important decision that affects them all while he sits on these kinds of reports.

We hear rhetoric time and again about what an open government it is, but we see example after example of important government reports, paid for by the people of this province, that are covered up and hidden and not released to them so they can make an informed decision.

Mr. Breagh: Let me reply briefly to the statement by the Minister of Municipal Affairs on the release of the report of the Task Force on Representation and Accountability in Metropolitan Toronto. There is more in the title than there is in the report.

It is one of our growth industries around Ontario to create task forces. This one is like a number of others, but some questions were raised initially as to whether it was appropriate to have staff do this report. In his statement today I wish the minister had given some faint clue as to what his preference would be and what is the intention of his government.

From all that has been printed and said today, the most we can get out of it is that he is in favour of democracy. So are we. He is in favour of elected people at the local level being accountable. So is everybody else. The one small thing in there that is worth holding on to is that apparently he has the intention of doing something, whatever that might be, in time for the next municipal election. That is a laudable thing. It would have been useful, and it may still be useful, for the minister at least to provide us with some indication of the government's preference and let that be the discussion point.

Frankly, among people who will now be asked to comment on this report, the difficult question is, what exactly does the government intend to do? If the government were prepared to put forward the concept that there be direct election of the Metro chairman, that it would be either Metro-wide or else done from the council and let them make the choice from those two, it would have been helpful.

It would be useful from this point on to have the minister do exactly that: to lay before the

council of Metropolitan Toronto what his preference is in the matter, to show them he intends to proceed in time for the next municipal election. That might be a useful exercise. I am afraid what he has done today is not very useful.

FILM INDUSTRY

Hon. Ms. Munro: This morning the Premier (Mr. Peterson) and I attended a press conference announcing the opening of the Canadian Centre for Advanced Film Studies. The centre will offer selected Canadian film makers the opportunity to hone their already well-established skills to an even higher degree of excellence. The centre will be housed at Windfields, the E. P. Taylor estate, with the city of North York maintaining the grounds as park land.

The provincial government, through the Ontario Film Development Corp., will be giving up to \$1 million to the centre over the next several years. It is almost exactly one year since the Ontario Film Development Corp. was established. In that time a lot has happened both in the production and the distribution of film in Ontario. The amount of film activity in this province already attests to the reputation of our technicians and our creative talent. This new national film centre will ensure that even more high-quality films are made in Ontario.

The centre has been a dream of Norman Jewison for a long time. Jewison, a director of world acclaim, has always remained true to Canada. I think everyone in this House will join with me in wishing him and the centre every success. Film is, after all, one of the best ways of preserving and presenting Canadian culture.

Mrs. Marland: I notice in the statement by the Minister of Citizenship and Culture that she is saying the Ontario Film Development Corp. is going to be giving up to \$1 million to this Canadian film centre over the next several years. I would be very interested to know what “up to \$1 million” means—whether it means \$1, \$10 or \$500—and “over the next several years.” That is a very interesting, broad, sweeping statement that does not say anything at all.

I also note with great interest that Mel Lastman will now be the perpetual gardener of the E. P. Taylor estate.

ALCOHOL ON OPP BOAT

Hon. Mr. Keyes: On a point of personal privilege, Mr. Speaker: I beg the indulgence of this House to make a very brief statement.

Mr. Harris: On a point of order, Mr. Speaker: Is this a point of privilege or a ministerial statement?

Mr. Nixon: Privilege.

Mr. Harris: Fine.

Hon. Mr. Keyes: I would like to address the House briefly regarding a newspaper report today that raises legitimate questions about the propriety of a hospitality function held on an Ontario Provincial Police patrol board last summer. As has been reported in the media, as Solicitor General, I was providing Sir Kenneth Newman, head of world-famous Scotland Yard, and his three guests six hours of patrol on the St. Lawrence River near Kingston on June 21. Rather than return to a restaurant facility during the lunch period, I directed the OPP staff to arrange a luncheon and that alcoholic beverages be provided. At the time, given that the facilities on the boat included a galley and a head, I saw nothing inappropriate about this gesture.

As the host minister, I was anxious to make the visit of our British guests as informative and pleasant as possible. Since the boat was under the capable control of OPP officers, I initially saw no cause to question the propriety of the lunch. I now know we should have put ashore for such a function. Upon reflection, I can see I may have made a mistake and I apologize to the House and to those who have been offended by my actions. I also intend to contact Sir Kenneth Newman, head of Scotland Yard, and apologize to him as well for any embarrassment caused by my actions.

Mr. Harris: Mr. Speaker, on a point of order: You have made previous rulings in this regard, for example when the member for Oriole (Ms. Caplan) rose on a point of personal privilege or personal explanation, and according to Erskine May, this type of point must be made at the end of question period and before orders of the day. You have ruled that way before. There was some derision from members of the government when I rose to ask whether this was a ministerial statement during ministerial statements time.

Hon. Mr. Nixon: We said no.

Mr. Harris: That is right. Therefore, it was out of order, and we should not have had to listen to the garbage. I ask you to reflect on what has occurred, Mr. Speaker. If a statement has been allowed, it should be treated as a ministerial statement and we should have had an opportunity to respond to it in that way. If that is not your interpretation, I suggest it is all out of order and should be struck from the record.

Interjections.

Mr. Speaker: Order. I called for ministerial statements, and I was informed by the minister who rose that it was a point of—I said “personal

explanation,” because we do not really have a point of personal privilege, we have a point of privilege, so I accepted it as a point of personal explanation.

Mr. Harris: According to Erskine May, if the Speaker will check the record and the precedents, he will find that was a totally inappropriate ruling. There is no such thing as a point of personal explanation except at that time right before—

Interjections.

Mr. Speaker: Order. I will be glad to check Erskine May very carefully, and I will discuss it with the member personally afterwards.

Mr. Gillies: The rather unusual ruling of a few minutes earlier leaves us in doubt on this side of the House as to whether we should be responding to the comments made by the Solicitor General (Mr. Keyes). Mr. Speaker, with your indulgence, I will do so anyway.

Mr. Speaker: The member for Nipissing (Mr. Harris) asked me if I would look at Erskine May. I said I would do so and discuss it with him later. I accepted that as a point of personal explanation. Therefore, I suggest a response would be out of order at the present time.

Mr. Harris: I suggest it would not be out of order to respond to the point. One member has raised the point and it is perfectly in order for other members to comment on it, and that is what my colleague will do now.

Mr. Speaker: With respect, it was not a ministerial statement.

Mr. Harris: I realize that. We are not responding to ministerial statements now. The member has a comment on the point of order that was raised, or the point of privilege or whatever you ruled it.

Mr. Speaker: I said it was a point of personal explanation.

Mr. Harris: Yes. We would like to comment on that. We do not care what you call it.

Mr. Speaker: I appreciate that; however, a response to that has not happened in the past.

Mr. McClellan: Mr. Speaker, on a point of order: We have a problem here that should be dealt with. If ministers are going to use time that is allocated for ministerial statements and disguise what they are saying as something other than a ministerial statement to prevent the opposition from giving a response to a ministerial statement, then we will have a great deal of difficulty here.

Hon. Mr. Nixon: Is that a point of order?

Mr. McClellan: It is a point of order.

Mr. Rae: They can respond to our points of order even though we cannot respond to theirs.

Mr. Davis: So much for open government.

Mr. McClellan: If I may, Mr. Speaker, because you allowed the minister to make his statement during the time that is allocated under standing orders for ministerial statements, you should allow the opposition to respond to that statement.

Hon. Mr. Nixon: I am sure all we have here is a minor misunderstanding. There were two ministerial statements and they were completed. The Solicitor General wanted to make a point of personal explanation, and because his knowledge of the rules and mine are not as encyclopaedic as that of the member for Nipissing, who knows Erskine May backwards—some day he will find out how it reads forwards—he got up at the appropriate time and made a statement and apologized to the House.

Mr. Davis: He made a statement.

Hon. Mr. Nixon: That is right; it was a declaration. It was not a question.

I suggest, Mr. Speaker, you can search the provisions of the rules and advise us when this should be done specifically. We will be glad to accommodate your ruling in every particular.

Mr. Harris: Mr. Speaker, on the point, you have given great flexibility on whether it is treated as a point of order, a point of explanation or a point of privilege. The point is, my colleague the member for Bellwoods (Mr. McClellan) has risen on a point of order, and you have allowed the other parties time to comment on that point. I do not care what you ruled whatever it was the minister made. If it is a point of order, we would like time to comment on the point of order. If it is a point of privilege, we would like a little time to comment on that.

I will conclude by asking for unanimous consent of the House to provide time for both opposition parties to comment on the inopportunistically timed statement made by the Solicitor General.

14:00

Mr. Speaker: We seem to have a little confusion as to whether it was a ministerial statement or a point of personal explanation. I called for statements. The minister said it was not a statement. I understood it to be a point of personal explanation. We have a request now

from the member for Nipissing for unanimous consent to comment.

Mr. Rowe: Agreed.

Mr. Speaker: No. I understand he wants that within the rules of ministerial statements. There was about a minute and a half left for responses.

Hon. Mr. Nixon: Mr. Speaker, if you are asking for unanimous consent, we have no problem in this regard. If the honourable members want to make some comments on it, fine. I simply say there were two statements and then a personal explanation from the minister in which he apologized to the House. Surely there could not be anything healthier than that procedure.

Interjections.

Mr. Speaker: Order. Is there unanimous consent to complete the responses to the Solicitor General within the time for responses?

Agreed to.

Hon. Mr. Scott: Okay. Go, Phil; come on.

Mr. Gillies: Spokesmen for the government can make light of this issue as much as they may care to. There is a very serious issue that the House has to consider at this point, that being whether the chief law enforcement officer of Ontario did willingly and knowingly partake in a breach of the law of the province.

So far, what do we know? We know that in the course of exercising his responsibilities as Solicitor General of Ontario, the minister entertained dignitaries on a vessel on the waters of this province and that alcohol was consumed on that vessel. Further, we know that the vessel was being conducted through the waters of our province at the time by two members of the Ontario Provincial Police, which then begs the question as to whether, either advertently or inadvertently, by virtue of his office the minister led two law enforcement officers of the province also to be parties to breaking the law.

I suggest it is a very serious matter. The minister quite rightly stood in his place and offered an apology to the House, but that may not be sufficient. It is the feeling of the members of the official opposition that until such time as this matter is properly investigated and cleared up to the satisfaction of the members of this House, the minister should offer his resignation.

Mr. Breaugh: I hesitate to follow that act, Mr. Speaker.

Mr. Martel: Do not try.

Mr. Davis: Which one? The one on the river?

Mr. Breagh: If I take any of these guys on a boat cruise, I have a quick solution to some of the problems they are causing today. It does not involve giving them drinks either.

14:06

ORAL QUESTIONS

HYDRO PLANNING

Mr. Grossman: Can the Premier tell the House how many additional megawatts of power he believes Ontario Hydro will need by the year 2000?

Hon. Mr. Peterson: As the honourable member knows, a demand study is going on at the moment. There is no sense that there is a crisis that has to be addressed. Hydro is working on that. It will obviously be reviewed by the government at the appropriate time, but there is a great deal of time to do that, and it will be done in the clear light of day.

As he knows, demand projections have changed quite substantially over a period of time. I remember a time, as he remembers a time, when a seven per cent growth in demand was projected, and that has changed. Therefore, I cannot answer the member's specific question today. It will be some time before we can.

Mr. Grossman: The Premier used to suggest that hardly any additional megawatts would be necessary by the year 2000. His chairman of Ontario Hydro has suggested that 3,600 additional megawatts will be required by the year 2000, and his own Ministry of Energy, in a document released by the Minister of Energy (Mr. Kerrio) last fall, has indicated that, by the ministry's own analysis, 3,000 megawatts of additional uncommitted generation will be necessary in the minimum-case scenario, and it could go as high as 7,000 megawatts.

My simple question for the Premier is this: he has cast doubt upon Mr. Campbell's suggestion that 3,600 megawatts would be necessary; his own Ministry of Energy speculates that, on average, it will be higher than that; surely the Premier, after a year a half in office and after these reports, is able to tell us today how many megawatts he believes at present, on the basis of these reports, will be necessary?

Hon. Mr. Peterson: I am not helpful to the member, and I wish I could be so today, but as I said, these matters have not been determined finally. A lot of analysis is going on, a lot of new approaches are being considered by Ontario Hydro and I do not think there is a definitive answer to his question. As he knows, those

long-term projections are only that: long-term projections. When we look back in history, we see that many of them have been wrong. At this point, an operating scenario has not been developed either by Hydro or by the government. When it is we will happily share that information with the member.

Mr. Grossman: The Premier has the responsibility, I hope, for influencing the decisions that Hydro has to make now to be ready for the year 2000. They may be long range, but they require a Premier who is actually going to take responsibility to make the decision now. It is a tough part of the job, but he has to face up to it, and his own ministry and Hydro disagree with him on the energy demand.

Given the Premier's own statements when he was not Premier and given the ruminations of the Minister of Energy about Hydro being a Goliath that needs to be brought under control, I wonder whether later this week the Premier will agree to support an amendment to Bill 142, which will be before this House, to require that rate and strategic planning decisions of Ontario Hydro require the final approval of the Ontario Energy Board and to allow an appeal to cabinet.

If he means what he has been saying all these years, will he support that amendment, which will bring all of Hydro's rates and long-term projects to the energy board and to the Ontario cabinet? My party will be moving that amendment later this week. Will he support it?

Hon. Mr. Peterson: I never cease to be amazed at the honourable member and his party. He keeps changing his mind on those things that he did not support in government but that he supports in opposition. I never cease to be amazed at the road to Damascus—

Mr. Grossman: Does the Premier remember when he was going to fire Tom Campbell? Does he remember when Hydro was a Goliath? Does he remember when he was in favour of extra billing?

Mr. Speaker: Order.

Hon. Mr. Peterson: I respect Tom Campbell very much. After all, he helped the member for Muskoka (Mr. F. S. Miller) take over the premiership; so I owe him a great deal. The member should call on his help in that particular regard.

We are looking at the relationship of the energy board, the government and Ontario Hydro. We assume the responsibility for a number of these things as they come back, and we do not deny or try to escape that responsibility.

ty. If the member just wants to transfer responsibility from one group to another group, ultimately the responsibility comes back to the government and we are prepared to accept that responsibility.

LAYOFFS IN SUDBURY

Mr. Pope: My question is to the Premier. This is one issue on which I hope he will change his position, because he has been making a habit of changing his position on Hydro and many other issues.

Will the Premier reconsider his over-hasty response to the people of Sudbury and accept the request of the representatives of the people of Sudbury to have an inquiry into the affairs of Falconbridge Ltd. and the future plans for the Sudbury basin?

Hon. Mr. Peterson: Falconbridge is only one part of the long-term plans for the Sudbury basin area. I am very much familiar with the circumstances that brought this current concern about Falconbridge.

As the honourable member knows, I had a chat with Mr. James not too long ago and I told him—

Mr. Martel: Jesse.

Hon. Mr. Peterson: As I understand it, his name is Bill James, but I could be mistaken; I have not seen his birth certificate.

I suggested to Mr. James that he go to the community and lay forward his plans for Falconbridge and what is involved in the Sudbury area. I gather he followed that advice. I believe that happened last Saturday. The ministry organized that.

I also understand that some of the people who were most vocal locally did not show up. As I understand it, they, like the honourable member who is making noise on the bench opposite, and his colleague as well, did not show up at that meeting. Obviously, they were not interested in the facts of the situation.

Mr. Martel: We know he would tell lies.

Hon. Mr. Peterson: I will tell them what the member said in that particular regard.

As I said, if this House can be helpful in focusing Falconbridge, I have no problem with that. Maybe the member will want to have another meeting with Falconbridge, which we will arrange at his convenience, to try to focus those issues he would like to discuss.

Mr. Pope: I know the Premier has talked to Mr. James. I believe the people from Sudbury would like him to talk to them and to their elected representatives. That is the entire point. Will he

reconsider his position and allow the inquiry which has been demanded by the representatives of the people of Sudbury to go ahead?

Second, will he indicate clearly for the people of Sudbury who are watching this what his long-term solutions are to economic diversification for the Sudbury basin?

Hon. Mr. Peterson: As I said, I am prepared to look at the Falconbridge situation.

Mr. Martel: He does not have any plans.

Hon. Mr. Peterson: If the member is asking me whether our plans are angora goats the answer is wrong. The only thing the Tories contributed in 40 years was a few angora goats.

Mr. Davis: The Premier has looked into his bag of goodies and he has given them all away.

Mr. Speaker: Order.

Hon. Mr. Peterson: Let us look at some of the initiatives we have undertaken in Sudbury: the contributions in terms of the university, the building up of the mining sector; the moving of civil service jobs and a variety of other things. I know the member is very negative about these things. He will stand up and yap no matter what we do. I understand the political imperative. A lot of thoughtful people in the Sudbury area are saying there is finally a government at Queen's Park that shows sensitivity and is working with the community to solve the problem.

Mr. Pope: We have seen this government's sensitivity. We have seen it back away from its obligations to the lumber workers of this province. There are 800 of them out of work right now because of its negligence in Washington. We have seen how it has done nothing in Sault Ste. Marie for the iron ore workers. We have seen how it has done nothing in Wawa, in Terrace Bay or in Thunder Bay for people who are out of work now, because it does not have a single concrete policy for the people of northern Ontario.

Can the Premier tell me what policy he has to put these laid-off Falconbridge miners back to work?

Hon. Mr. Peterson: With great respect to my honourable colleague opposite—I understand his standing up in the House and being critical; perhaps he feels he is being paid to do that—let me tell him that view is not shared by very many people in the north today. They see a government that is demonstrating sensitivity. I am sure the member reads of the things that are going on up there. We are working actively and constructively with those people.

Specifically with respect to the people who are laid off there, we are taking approaches and making economic diversification that we hope will help the community in the long term. I do not have an instant solution to that problem and neither does the member.

Mr. Pope: We had more employment in northern Ontario when we were in power than you have come up with in 18 months.

Mr. Speaker: Order.

GOVERNMENT'S POLICY ON SOUTH AFRICA

Mr. Rae: I have a question to the Premier. I have in my hand, as they say, a confidential cabinet document, a draft document entitled Policy Options for an Ontario Response to South African Apartheid, dated September 18, 1986. Can the Premier tell us why there has been such an incredible delay in making a decision with respect to the very modest recommendations contained in this draft submission?

Hon. Mr. Peterson: I want the honourable member to know there is no such thing as a confidential cabinet document any more; so he may have one. As the member knows, we are a government without walls or barriers. I am delighted he member has a copy, and I would like his thoughts on that. It is a matter that is being discussed with the cabinet. On any given issue there are many policy options, so he can give us his thoughts on the matter. I am delighted he has it.

Mr. Rae: The Premier was here, as were the vast majority of us, when Bishop Tutu spoke to us in June 1986. I find it ironic that the Premier would have no response to the very modest but specific recommendations that are contained in this document. Is the Premier saying today that in the face of apartheid he and his government have simply knuckled under to the business lobby, which does not want any action taken by the government of Ontario?

Hon. Mr. Peterson: Maybe the member is experiencing a business lobby in that regard, but I am not. We are looking at a number of policy options, and I am delighted he has one of the policy papers in front of him. The cabinet is working on the question. When we have an announcement, we will share it with him.

Mr. Rae: We have a document with very specific recommendations, which has been in the hands of the government for a long time. The government has chosen not to act in a number of

very clear areas where it could have acted; it has decided clearly not to act.

In the same month that Bishop Tutu was here, the government was asked specifically by the Task Force on the Churches and Corporate Responsibility and by the Jesuits of Upper Canada to join with them, as shareholders in Varsity Corp., which the Premier will know is the new name for Massey-Ferguson, to use their collective leverage to get Massey-Ferguson out of South Africa.

Can the Premier explain why, instead of joining with them, he chose to write what can only be described as an incredibly pallid letter to the president of Massey-Ferguson simply asking that the company gives urgent consideration to its policy in South Africa? In the same month that Bishop Tutu was here, why did the Premier not take the opportunity to act when he was clearly given that option and choice?

Hon. Mr. Peterson: I do not agree with the member at all. We took what we believed to be constructive action. Is the member suggesting that the United Church, or whoever he mentioned, the Jesuits of Upper Canada and the government had enough voting clout to control Massey-Ferguson? I do not think he is suggesting that.

As a matter of fact, this government has taken the lead in a number of these issues. He may want to stand up after the fact and say we should do it more quickly, but we were standing up long before many other governments and many other members in this House on these issues. The member has a document that we are discussing. We are continuing to look at the positive initiatives we can undertake to make the views of this government felt strongly here and in South Africa.

14:20

LAYOFFS IN SUDBURY

Mr. Laughren: I have a question for the Premier, who needs to be reminded that he is also the Minister of Northern Development and Mines. I will attempt to restrain myself and not respond to his rather cheap shot that the members from the Sudbury area do not care about those layoffs because they did not attend a meeting. There were very valid reasons why we were not in attendance at that meeting.

The Premier will understand that Falconbridge has just doubled its investment in South Africa, as reported in the press this morning. It increased its debt with the purchase of Kidd Creek this past year. It scheduled all sorts of overtime in the

Sudbury area. It has continued to refine its ores in Norway. At the same time, it has announced an hourly rated cutback of 275 now and 280 more, I believe it is, in 1988.

Why is the Premier so reluctant, particularly given that he is also the Minister of Northern Development and Mines, to do anything to ameliorate those layoffs and try to get to the bottom of this?

Hon. Mr. Peterson: As I said to the honourable member earlier, we arranged for a meeting to be held in Sudbury. It was organized. It was not a cheap shot. He was invited and chose not to attend. If he had logical reasons for that, that is fair enough. However, he was invited to come and put his questions and his concerns to the management or to anyone else he wanted to talk to. As a matter of fact, and it is not a cheap shot, I was told that the lack of his presence and his colleagues' presence was noted by all. The regional council was there. That is what I have been told.

I am prepared to arrange a public meeting at his convenience with the management of Falconbridge. He can put those concerns. If we can narrow some of the concerns that can be constructively studied by a committee of this Legislature, I can assure the member I have no problem with that.

Mr. Laughren: Perhaps I can remind the Premier that there exists in the Sudbury basin what is known as an ad hoc committee. It consists of the two federal MPs and the three provincial MPPs. All five of us did not attend that meeting. None of us, including the chairman of the federal Liberal caucus, Doug Frith, attended that meeting for some very valid reasons. It is inappropriate for the Premier to be taking shots at our lack of attendance at that meeting.

The Premier seemed to equivocate somewhat in his reply to the member for Cochrane South (Mr. Pope). Can I ask him about the whole question of a public inquiry? The ad hoc committee and the entire regional council have requested a public inquiry into those layoffs. Why will the Premier not agree to that?

Hon. Mr. Peterson: I do not care whether the chairman of the federal Liberal caucus attended or not. I would tell him exactly the same thing as I am telling the member. He was so activist and was the one trying to promote this meeting and then for some reason he did not show up. I believe there should be a public explanation for these things, and we tried to organize that. I will happily arrange another meeting if he wants to help focus the issues in these matters. If it can be

helpfully aired by this House, as I said, I have no problem with that.

Mr. Martel: The Minister of Labour (Mr. Wrye) allowed 70,000 hours of overtime in the first eight months of last year and the company refuses to give to the union the number of hours they have worked, plant by plant, this year. Jesse indicates that they lost \$100 million in the past 10 years in Sudbury and no one believes they lost a cent in Sudbury. They believe it was the foreign investment, and not Sudbury, that caused them to lose money, as with Inco. Falconbridge, like Inco, is purchasing both scrap and matte nickel abroad and laying off our people in Sudbury. Does he not think it is time somebody has to account for why our people are laid off and they are purchasing abroad? Does he have the answers to those questions after his meeting with Jesse?

Hon. Mr. Peterson: I do not want to be cast in the role of having to defend that. As I understand it, there are some logical explanations for some of that behaviour. There is no logical explanation I know of for the investment in the South African mine. That disturbs me very much. We have consulted with the Department of External Affairs on that matter. As the member knows, the province does not have the power to change that situation.

I understand there is regular trading on the London Metals Exchange with respect to nickel matte to meet certain overflows. That goes on from time to time. I cannot answer the question with respect to overtime but I will certainly discuss it.

Let me make this recommendation to my friend. He will recall we went through a similar exercise with Inco some time ago. I have no problem with the economic affairs committee or some other committee of this House looking into the entire matter and putting those questions. Why does my friend not go to a meeting that we will arrange in Sudbury for him and whoever else wants to be there to put those very same questions to the appropriate people?

Mr. Martel: We need the documents; we have to subpoena.

Hon. Mr. Peterson: The member can ask them ahead of time for the documents. He may not be satisfied or he may be satisfied. In other words, he can focus the discussion on an area that will be productive for inquiry by this House. I am not uncomfortable with that by any stretch of the imagination.

I am also told that the Kidd Creek operation is paying for itself. One of the problems with the Falconbridge mines in the Sudbury basin is that

they are higher-cost ore bodies. They are talking about closing the East Mine some time in the future. My friend may know of a way to assist Falconbridge in making money from that and keeping it going. I very much hope that will be the case. If the member has some wisdom as to how they can run that mine, I am sure they will be delighted to hear from him.

HYDRO ACCOUNTABILITY

Mr. Grossman: I want to return to the Premier. I want to read him some quotes by way of trying to get his support for the Progressive Conservative amendment to Bill 142 this Wednesday or Thursday, to get Ontario Hydro under the control of the Legislature.

On June 10, 1982, "For too long, Ontario Hydro has been allowed to run their affairs without control." This was in a press release put out by the member for Niagara Falls (Mr. Kerrio). On July 8, 1984, Julian Reed, then Liberal Party Energy critic, said that the energy board hearings were a charade and that Hydro should not be allowed to set its own rates. On April 18, 1985, the then Leader of the Opposition, the member for London Centre (Mr. Peterson), said: "We will make Hydro accountable. That is the root of the problem with Hydro. They go ahead and spend money with absolutely no public accountability."

The week after the election in 1985, the then Leader of the Opposition was quoted as saying: "Among the concerns he wants addressed is an approval system for setting Hydro rates. The Ontario Energy Board now makes recommendations, but they are not binding and Hydro has ignored them in the past."

Given that long record, will the Premier agree this afternoon to support an amendment we will move to make sure that everything he said previously is implemented and Hydro is brought under control of the Legislature and the energy board?

Hon. Mr. Peterson: In the interest of having a full, frank and free discussion of this issue, and I believe it does need to be debated, will the Leader of the Opposition kindly read the responses of the former government when those issues were raised by the opposition?

Mr. Grossman: I remind the Premier that there is a difference. All these statements were made by the current Premier or his Energy critic under his leadership of the Ontario Liberal Party. The positions we are taking are the positions of the new Progressive Conservative Party under its new leader and we are proud to put them forward.

Mr. Speaker: Order. A supplementary question would be in order.

Mr. Grossman: In the interests of a full, frank, complete and open discussion of this matter, I would like to read to the Premier a press release put out on September 21, 1983, by the member for London Centre, when Leader of the Opposition, accompanying a private member's bill to bring Ontario Hydro under control and make it more accountable to the people of Ontario.

I wonder whether the Premier is prepared to support the Tory amendment that will be moved this week and that would implement and rectify the concern expressed this way by him three years ago: "Unless public control is regained, Ontario Hydro will take us further down the road of dependence upon nuclear power as a dominant generating force with all of the accompanying uncertainties affecting our financial, physical and environmental wellbeing." Will he support the motion that implements what he said?

14:30

Hon. Mr. Peterson: First of all, may I say as an aside that my friend the official historian for this party informs me this is—

Interjections.

Hon. Mr. Peterson: Mr. Speaker, could you bring in some order? This is a happy occasion.

Interjections.

Mr. Speaker: Order. As usual, I will wait until there is a little more quiet.

Hon. Mr. Peterson: As I said, the honourable historian tells me it is the first anniversary of the member opposite as leader of the party. May I convey the congratulations of this side of the House.

By way of preamble to his question, he was talking about the position of the new Progressive Conservative Party. I find that very intriguing, because I find there is a position for the old party, the new party, the new, new party and the new, new, new party after that.

When my friend asks me to support a resolution coming to this House two days from now, the danger is that he may change his mind in the next two days. One never knows what the view of that party will be. There is some scepticism among the members of this House as to whether he will still believe two days from now what he believes today.

I can tell him the position of this party has been consistent. There are things that are happening with respect to Hydro, and I can tell my

honourable friend I have not studied his resolution but we will have to let happen what may.

MUNICIPAL TAXATION

Mr. Rae: I have a question for the Treasurer and Minister of Revenue, who, luckily for all of us and indeed for the province, is the same person.

He will no doubt be aware, because of his vast reading of the daily newspapers, of the appeal that has been launched by LAC Mineral Corp. with respect to the dispute between it and Corona Resources over the gold mines at Hemlo.

He will also know, because of the petitions he has received from a number of communities, that regardless of who wins this battle of the Titans, there are several communities surrounding the Hemlo gold mine that as of this date will receive nothing in municipal taxation from any of those very productive and extremely profitable mines.

The Treasurer will be aware that in the township of Marathon there is a shortage of literally \$1 million in property tax that is unassessed and unpaid to the town of Marathon at the same time as the mill is paying \$1.6 million in taxes; and his resource equalization grant, in case he was thinking of relying on that rather shifty and weak crutch of an answer, pays \$1,510 as opposed to \$1 million in property tax—peanuts.

When is he going to do something for the towns of Marathon, Manitouwadge and White River and make sure the gold companies pay their fair share of municipal taxes?

Hon. Mr. Nixon: As the honourable member may recall, the cabinet met in Thunder Bay two months ago, and among the many delegations that came before the cabinet was the mayor of Marathon, a very capable person whose name I am trying to get.

Mr. Rae: Her name is Wendy Bell.

Hon. Mr. Nixon: Wendy Bell. The historian told me Wendy, but we could not remember the Bell. She gave a very compelling argument for the sort of special support the honourable member is drawing to my attention.

Mr. Pope: The Treasurer should not be so bloody condescending.

Hon. Mr. Nixon: I am not condescending at all. I am simply indicating that the local administration has very effectively brought this to our attention. I invited her, at a convenient time for her and her council, when she was in Toronto to put a more formal submission, which she has done.

I have asked officials in the Ministry of Revenue and the Ministry of Treasury and Economics to give me a series of alternatives that will move as far as possible to make additional funds available. The honourable member and the other members of the House know that Marathon particularly has to provide municipal services for a large number of people who work in the Hemlo gold fields. There is no access to the assessment that would normally come from that very large installation.

We are looking at this, and I can make the commitment to the member and, through the House, to the mayor of Marathon, that we will come up with what we hope will be a suitable answer to this problem in the near future.

Mr. Pouliot: By way of supplementary, I cannot help but notice month after month the kind of attitude the Treasurer takes. He just lies there and does very little to help the people.

It matters little that the three very rich gold mines at Hemlo, the richest in Canada, are assessed; indeed, they can well afford it. It matters a great deal more to the people who are literally left holding the bag. What specific measure is the Treasurer contemplating so that those very rich gold mines are forced to pay municipal taxes for essential services, as is everybody else in White River, Marathon and Manitouwadge, nothing less but nothing more than that?

Hon. Mr. Nixon: As usual, I find the honourable member compelling in his arguments. I simply want to reiterate that the officials from the area have brought this to our attention before the whole cabinet and to me as Minister of Revenue. I have indicated to the questioners and to all members of the House that we are going to come forward with positive action in this regard.

ALCOHOL ON OPP BOAT

Mr. Sterling: My question is to the Solicitor General concerning the recent news that he used an Ontario Provincial Police patrol boat for entertainment purposes this past summer.

As a former charter boat owner and particularly as Solicitor General, he must be aware that the policy of the OPP is to lay a charge in the case where alcohol is being consumed when a boat is under way. Can the minister tell us why the OPP did not lay a charge in this particular instance?

Hon. Mr. Keyes: No, I cannot.

Mr. Rowe: They forget their pencil.
Interjections.

Mr. Speaker: Order.

Hon. Mr. Keyes: I cannot give the member any particular answer to why they did not lay any charge. There is a problem area in knowing exactly when and what law is being violated in that situation. Perhaps it is something that may be addressed to another one of my colleagues responsible for the acts to which it might relate.

Mr. Pope: Oh no. He had a reception on the front lawn and nothing happened.

Mr. Grossman: He is the pitcher, not the catcher.

Mr. Baetz: The simple answer is resignation.

Mr. Speaker: The member for Carleton-Grenville would like to ask a supplementary, I believe.

Mr. Sterling: The minister may be interested to learn that we spoke today with the OPP and were informed by Superintendent Burke that a charge was not laid in this case because there were dignitaries on board. Can the minister tell us whether there are two sets of rules, one for boats with dignitaries and one for the ordinary people of Ontario?

Hon. Mr. Keyes: I did not distinctly hear a—

Mr. Pope: Was this your Thrill of a Lifetime, Ken?

Mr. Rowe: No. It was Lifestyles of the Rich and Famous.

Mr. Stevenson: Goodbye, Ken.

Mr. Speaker: Order.

Hon. Mr. Keyes: No one is above the law of the country. There are no two sets of laws.

14:40

PUBLIC UTILITIES

Mr. Breagh: I have a question for the Minister of Municipal Affairs. Can he explain why he allows publicly owned and operated utility corporations to penalize the poor and to threaten them with termination of services? Why does he still allow public utility commissions to demand guarantee deposits and threaten the poor of this province that they will terminate the supply of electrical power?

Hon. Mr. Grandmaitre: If the honourable member wants to provide me with more information, I will gladly provide him with an answer.

Mr. Breagh: I have written to the minister on the specifics of the case. It happens to be in London, the municipality of the Premier (Mr. Peterson), where the public utilities commission is demanding guarantee deposits of about \$180

from poor people who actually owe the utility about \$22. Does he not think that is ridiculous?

Hon. Mr. Grandmaitre: It may sound ridiculous, but I do not know the rules and regulations on energy or what the hydro people charge. I will definitely bring him a more reasonable answer.

ALCOHOL ON OPP BOAT

Mr. Gillies: My question is to the Solicitor General. If we take in good faith the Solicitor General's last answer, that there is one law in this province for all the people, in view of this flagrant breaking of the law, will he ensure that a charge will be laid regarding this incident in June? Will he do so to demonstrate to the people of this province that there is one law for all the people, regardless of whether he is the Solicitor General of the province?

Hon. Mr. Keyes: There is one law in this province for all individuals, whether it is under the Retail Business Holidays Act or anything else. Whether charges are laid under the laws of the country rests basically with the officers who are in charge in a particular area. Take a look at last week on Sunday in the same way. I do not order the police to lay charges against anyone.

Mr. Gillies: Does the Solicitor General realize the discredit he risks bringing on the Ontario Provincial Police, when he knows that as Solicitor General he is expecting a junior officer to lay a charge against a minister of the crown through whom that officer's agency reports? Will the minister not recognize that the honourable thing for him to do is to maintain the good reputation and honour of the OPP and ensure himself that such a charge is laid?

Hon. Mr. Keyes: As I stated earlier, it is not my role to order any of our police officers to go out and lay charges against any individual in this province. They have the ability to make that determination.

Interjections.

Mr. Speaker: Order. The member for Welland-Thorold is waiting patiently with a new question.

AUTOMOBILE INSURANCE

Mr. Swart: My question is to the Minister of Consumer and Commercial Relations and deals with insurance. I want to bring to his attention the case of Donna Weiland of 25 Argyle Court in Welland. During the past three years her husband has lost points for nonuse of his seatbelt and for speeding, but he has not had an insurance claim.

The premium for his insurance rose from \$840 annually to \$2,300; and although Donna, his wife, has a perfect driving record and owns her own car, her insurance on renewal doubled because of his record.

Given that penalization of all motorists in a household for one driver's record is common practice in all insurance companies, and certainly has to be deplored by any fair-minded person, will the minister tell us today the steps he has taken to correct this very grave injustice to innocent people?

Hon. Mr. Kwinter: The member for Welland-Thorold has raised a question that is dealt with by insurance companies all the time. It is perceived that notwithstanding their having an accident or not, people who have moving offences, such as speeding, are certainly likely to have accidents more frequently than those who do not, regardless of whether they have had that accident. That is a matter of classification.

Notwithstanding all that, the member should know we are looking at the problems in this to see whether we can come to a resolution that will be fair, equitable and responsible.

Mr. Swart: The minister simply refuses to look at the real alternative.

I would like to put a supplementary to the Lord Nelson of the insurance industry. Even with his blind eye to the telescope, he must know those penalties to innocent drivers in the same household do not take place in the public auto insurance plans in Manitoba, Saskatchewan and British Columbia. Those public plans consider people innocent until proven guilty; thus, they do not charge penalty rates because of age, sex or marital status, nor are people guilty by association.

Given the minister's indifference or inability to get the private insurance companies to do anything about these problems, why does he not abandon his stubborn refusal even to consider the option of a public plan and at least make a comprehensive evaluation of rates and policies between the public plans and the broken-down insurance system in Ontario?

Hon. Mr. Kwinter: I thought the member for Welland-Thorold would never ask. I would like to quote a few facts that might bring this whole issue into some perspective. Members of the third party are constantly extolling the virtues of various insurance plans in other parts of the country. I would like to show the following to all members of the House.

This headline in the Winnipeg Free Press says, "Autopac Expected to Lose \$4 Million." The

article begins, "Autopac will lose at least \$4 million this year after a profit last year, the minister responsible for the Manitoba Public Insurance Corp. confirmed yesterday. MPIC sources said that Autopac's losses this year could be even much higher than that." It goes on to say, "The MPIC is poised for huge losses in coming years."

I would also like to quote for the members' benefit from an article that appeared in the Toronto Star on Friday, November 14, under the headline "Car Insurance in BC Seen Costing More in '87." The article says, "About a million motorists will pay from \$1 to \$25 more for their Autoplan insurance in 1987."

Interjections.

Hon. Mr. Kwinter: Listen to this. I have not finished. "An additional 250,000 car owners will see their premiums increase by \$26 to \$50—"

Interjections.

Mr. Speaker: Order. There are some very strange sounds in here today.

14:50

SALE OF LANDS

Mr. Partington: My question is to the Minister of Municipal Affairs relating to a matter I raised last week. By letter to me dated November 3, 1986, the minister indicated that the matter of the sale of approximately 14 acres of town-owned land by Vaughan council was still under review, even though it was first brought to his attention in the spring, and that options other than an inquiry were being considered. What other options is the minister considering?

Hon. Mr. Grandmaitre: My answer has not changed since last week. The matter is still under investigation. Neither the Ministry of Municipal Affairs nor the Minister of Municipal Affairs will interfere with that investigation.

Mr. Partington: Given that ministry staff indicated on September 30 that the results of its investigation were now in the minister's hands and that by July 31 the requisite petition from local ratepayers had been received by the ministry and given the minister's statement today in which he said, "This government has a clear commitment to open government," why has the minister not exercised his jurisdiction and called for an inquiry as envisioned under the Municipal Act? Is this search for options just one more attempt by the government to sweep this matter under the carpet?

Hon. Mr. Grandmaitre: The ministry and this open government of ours will not condemn

people before we find them guilty. That is the policy of this government. We will continue the investigation until we get to the bottom of it.

TARIFFS ON SOFTWOOD LUMBER

Mr. Wildman: In the absence of the Minister of Industry, Trade and Technology (Mr. O'Neil), who I understand is at the conference today with Miss Carney and the other provincial ministers, and of the Premier (Mr. Peterson), I would like to direct a question to the Treasurer with regard to the countervail.

Are the minister and his government aware that approximately 800 to 1,000 northern Ontario workers have been laid off since the 15 per cent countervail duty was announced in the United States because US orders have dropped off substantially? In my riding, that includes 150 mill workers at Searchmont, where the G. W. Martin mill has shut down, and 35 cutters at Dubreuilville, who worked for Dubreuil Brothers Ltd. If he is aware of that, will the Treasurer explain why the Ontario government failed to file notice with the US Department of Commerce by the November 30 deadline that this government wished to participate and to appeal the softwood lumber tariff?

Hon. Mr. Nixon: I was not personally aware of the size of the layoffs, although I have been following it with all the information that is available to me. I know the minister and the Premier have been following this very closely and through their own statements have indicated their intention to support Miss Carney as powerfully as we possibly can. The fact that there has not been an appeal filed by Ontario is something I am not personally aware of.

Mr. Pope: I pointed it out a week ago.

Hon. Mr. Nixon: I do not listen to your questions in as much detail as I should.

I think the Premier's statement, supported by the minister, that we are supporting Miss Carney in her attempts to have the countervail removed and reversed is a strong position for the province and an effective one.

Mr. Wildman: With regard to the trade ministers' conference in Ottawa today, can the Treasurer indicate what the position of this government will be at that conference with regard to the British Columbia position that Canada should indicate before the next November 28 deadline a willingness to negotiate a so-called suspension agreement rather than emphasizing the withdrawal of the 15 per cent countervail?

Hon. Mr. Nixon: I cannot respond to the question in any useful way. I will bring the matter the honourable member has raised to the attention of the Premier and the Minister of Industry, Trade and Technology.

[Later]

Mr. Wildman: On a point of order: I would like to correct the record. I apparently inadvertently misspoke myself and indicated that the deadline this government failed to meet was November 30. In fact, it was November 3, which is what I intended to say. The other deadline I mentioned, November 28, is correct.

Mr. Speaker: That is a very good point of personal explanation.

PROPERTY ASSESSMENT

Mr. Gregory: I have a question for the Treasurer and Minister of Revenue. In response to questions from the leader of the official opposition, from myself and from the member for Eglinton (Mr. McFadden), the minister has indicated his refusal to allow the release of individual market value assessments for Metropolitan Toronto. The reason he has given for this refusal is the concern that such release may cause a deluge of assessment appeals by home owners.

When will the minister take a position of representing the taxpayers of Metropolitan Toronto by releasing these figures so that the taxpayers will have an opportunity to see what lies in store for them under market value assessment?

Hon. Mr. Nixon: I have a letter from the Metro chairman dated today, November 18. While I will have only a moment to read a couple of lines from it, I will table the letter so the honourable member and others interested in this important matter will know what the view of the Metro chairman is.

The member asking the question, formerly the Minister of Revenue, will be aware that the impact study on reassessment is based on 1980 figures. The indication I have repeatedly given to the House is that we are prepared to work in as close co-operation as possible with the Metro chairman and his task force dealing with reassessment. I will read three short excerpts from his letter:

"The council has endorsed the use of a Metropolitan-wide section 63 as the means of implementing reassessment in Metropolitan Toronto, subject to satisfactory resolution of a series of implementation details....

"Because the Metropolitan council does not wish to consider market value reassessment for

1987 based on the 1980 figures, the first priority at this stage is to get your commitment"—the letter is addressed to me—"for the production of an assessment impact study for a Metropolitan-wide section 63 based on 1984 market values.

"Specifically, release of 1980 data by property will only serve to confuse taxpayers at this juncture."

He goes on to indicate, "The excellent co-operation and advice provided by you"—that is me—"and your staff is even more critical now that the Metropolitan council...will obviously be dependent upon the availability of current and accurate reassessment values and the satisfactory resolution of implementation details."

Mr. Speaker, I know you are concerned about this and I will be glad to table the letter.

Mr. Gregory: It must be apparent even to the Treasurer why the delay has been requested. We all know that. It does not come as any surprise. We know when municipal elections come. Even though we are on this side, we know that; so we know why the delay has been requested.

It is very apparent to me that the minister has chosen to protect the councils of the various municipalities as opposed to the taxpayers of those municipalities; yet it is the members of those same councils who are solely responsible for delaying the implementation of assessment tax reform in Metropolitan Toronto. In other words, the Treasurer is protecting the people who are delaying him in doing it, and he is telling the taxpayers, "To hell with you, we are not going to give you the information."

Will the Treasurer indicate when he will have some consideration for the taxpayers of Metropolitan Toronto and give them the information they need to make a value judgement on whether it is good for them?

Hon. Mr. Nixon: I have every consideration for the taxpayers and I am delighted the Metro council has decided by its vote, after ample debate, to go forward with the section 63 reassessment across the Metropolitan area. I have given my commitment to co-operate with the various councils, and particularly the chairman of Metropolitan Toronto, in every way I possibly can. I am very glad to bring his views on this important matter to the attention of the member and the House.

PROPANE EXPLOSION

Mr. Rae: I have a question for the Minister of Consumer and Commercial Relations about an explosion that took place in my riding yesterday.

The minister will no doubt be aware from reports within his office and from news reports of a major explosion with significant damage to property, though thank goodness no loss of life, that took place on the corner of Weston Road and Victoria Boulevard in the constituency of York South. It was a propane station. When I visited the site this morning, there was an inspection going on. As yet there has been no report on the cause of the accident.

Is the minister in a position to inform the House about the cause of the accident? What steps is he taking to make sure that kind of accident does not happen again?

15:00

Hon. Mr. Kwinter: I thank the leader of the third party for his question. He should know that yesterday as a result of the explosion the inspectors from the fuels safety branch of my ministry went to the site and conducted an investigation in conjunction with the fire marshal and the local fire department. To this moment, I do not have a report from them. They are still investigating the cause. There are many extenuating circumstances and they have not isolated the cause yet.

Mr. Rae: Can the minister tell the House whether he is satisfied, on the basis of the answers to the questions that I know he must have asked by now, that a sufficient number of inspections was carried out once the site was licensed and given permission to operate? Is he satisfied that a sufficient number of monthly or bimonthly inspections took place from the time the licence was granted earlier this year to the time of the explosion?

Hon. Mr. Kwinter: The member is right, I have asked those questions. The only information I can give him is that on March 17, 1986, the first inspection for the new installation was made. I do not have any information subsequent to that date. That is being investigated by my officials, and as soon as I have that information I will convey it to him.

PROVINCIAL SYMBOL

Mr. Rowe: I have a question for the Chairman of Management Board of Cabinet. Two weeks ago I asked him to give us details concerning a study that was commissioned by his government at a cost of between \$30,000 and \$40,000 with regard to recommendations as to the effectiveness of our official provincial flower, the trillium. Will he now make public the results of this report?

Hon. Mr. Nixon: A letter in response to the honourable member's question is being prepared. I will see that it gets to him. If he wants it tabled as public information, I will be glad to do that.

Mr. Rowe: That is interesting. It is nice to receive letters from the chairman; however, that is not what I am asking for. I am asking for the results of the report. The report was to be received by Management Board on June 30 of this year and he has had five months to make the report available. Why does he insist on hiding it? What is he covering up?

Hon. Mr. Nixon: It is not a hidden report and we are not covering up. I have not read the report and I was not even aware of its existence until the honourable member raised it.

DAY CARE

Ms. Gigantes: My question is to the Minister of Community and Social Services. The minister knows there are 318,000 mothers in Ontario with small children under the age of six who need child care, there are several hundred thousand others with children over the age of six who need some care after school, and there only 85,000 licensed day care spaces in Ontario.

Apart from telling municipalities they can apply to him for hardship funding when he removes the indirect grants to municipal day care centres, can the minister tell us what exactly he is doing to meet that need?

Hon. Mr. Sweeney: As the honourable member knows, over the past year and a half we have increased the total number of subsidized spaces in the province by 50 per cent. Granted the base was low, so that 50 per cent does not say as much as we would like it to say, but at least it is movement in that direction.

The member will also be aware that we have set up four rural programs to attempt to find the best way to deal with child care in the rural areas. She will also be aware that we have set up a number of school-age programs in co-operation with municipalities, local school boards and local departments of recreation.

The member will also be aware that we are in the process right now—and hope to conclude them in a very short time—of negotiations with the federal government to get cost sharing for a couple of other initiatives we want to take. That will make a difference.

Finally, the member will be aware that I have been in direct consultation with a number of municipalities, most recently in northwestern Ontario, as to how the effect of the transitional

grants to replace the indirect subsidies will impact on them.

Despite the fact that we still have a lot to do, we have done a considerable amount.

Ms. Gigantes: While the minister gives us all these explanations, the waiting lists for child care in organized child care centres in Ontario have increased by 50 per cent in the last year. There is a waiting list of 2,000 in Metro Toronto alone, and for two-and-a-half-year-olds in the city of Ottawa one has to wait 10 months to get a space.

Can the minister tell us what he is going to do to meet this crisis in child care? Can he tell us what he is going to do now?

Hon. Mr. Sweeney: I have already indicated to the member the projects and initiatives we have on the go right now. She will be aware that in addition to the licensed centre spaces, we have quite a large number of spaces in private home day care that are also licensed and supervised.

Very recently, I spoke to the Private Home Day Care Association of Ontario and indicated a couple of changes it had asked for. First, as of January 1, we will be moving from an attendance basis to an enrolment basis for remuneration. Second, two areas in our regulations section that are causing them problems will be eliminated. We are moving in that direction as well.

The other point I would draw to the member's attention is that while we are moving to create more subsidized and licensed spaces, we are also assisting those families who have their children in the informal system, not all of which is inadequate. We now have 100 resource centres across the province. We are expanding each of those and we will be adding more of those as well.

PETITIONS

SUNDAY RACING

Ms. Bryden: I have a petition opposing Sunday racing at Greenwood Race Track. It is signed by 54 persons and it reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Racing Commission in its hearing into the Ontario Jockey Club application for Sunday racing at Greenwood Race Track has ruled that it does not have the jurisdiction to hear the concerns of residents surrounding the aforesaid racetrack;

"And whereas many residents have shown their concern with the impact of Sunday racing at Greenwood Race Track on their neighbourhood

and have indicated their wish to voice that concern;

"That the government amend the Racing Commission Act to ensure that the rights and concerns of residents in the neighbourhood of the racetrack and in the surrounding community be considered and protected by the Ontario Racing Commission in setting racing dates, times and schedules;

"Further, that the legislation provide that the long tradition of no Sunday racing at Greenwood Race Track be maintained."

I support this petition.

MINIMUM WAGE

Mr. Morin-Strom: I have a petition signed by 405 residents of the Sault Ste. Marie area, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and in particular the Minister of Labour (Mr. Wrye):

"We the undersigned beg leave to petition the Parliament of Ontario as follows:

"That the minimum wage be increased from \$4 per hour to \$6 per hour over a period of two years."

Too many of the working poor in Ontario are being paid wages that will not keep their families above the poverty level. I support this petition, and hope the government will act to ensure that the working poor have a better opportunity in this province.

USE OF 2,4-D

Mr. Wildman: I have a petition signed by 219 people from Algoma and Sault Ste. Marie which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and in particular the Minister of Transportation and Communications (Mr. Fulton):

"We the undersigned beg leave to petition the Legislature of Ontario as follows:

"That the Ministry of Transportation and Communications use cutters to cut unwanted vegetation on their rights of way rather than using Tordon 101, 2,4-D. Failing that, we request that any area sprayed must have warning signs posted to warn people of its use."

I am in support of this petition and hope that the review of the use of 2,4-D will result in its being banned for use by the Ministry of Transportation and Communications.

15:10

MOTIONS

REFERRAL OF BILLS

Hon. Mr. Nixon moved that the orders for second reading of Bill Pr6, An Act respecting the City of Windsor, and Bill Pr7, An Act respecting the County of Huron, be discharged and the bills be referred to the standing committee on regulations and private bills.

Mr. McClellan: Is Bill Pr7 the bill that was amended to include right-to-know provisions?

Hon. Mr. Nixon: Yes, and I think we got the agreement of the honourable member who brought in the amendments to send it back to committee for review since general legislation has right-to-know provisions. If the member would like that stood down until—

Mr. McClellan: If the minister is saying the member agreed to it, I will take his word for it.

Hon. Mr. Nixon: The Minister of Labour (Mr. Wrye), who expressed a concern to me that the private bill dealt with a matter he was dealing with in general legislation, gave me to understand that his colleague the member for Windsor-Riverside (Mr. D. S. Cooke) had agreed. I do not know anything other than that. The indication is that it would be sent back to the committee. If that agreement is not precise, perhaps it can be dealt with as it was before.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Nixon moved that Mr. Philip and Mr. Grande exchange places in the order of precedence for private members' public business.

Motion agreed to.

INTRODUCTION OF BILLS

TOWN OF LINDSAY ACT

Mr. G. I. Miller moved first reading of Bill Pr20, An Act respecting the Town of Lindsay.

Motion agreed to.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT

Mr. Martel moved first reading of Bill 149, An Act to amend the Occupational Health and Safety Act.

Motion agreed to.

Mr. Martel: I must begin by saying that the Ontario Federation of Naturalists told me its members are tired of my ridiculing the Ministry of Labour by calling it the swamp. They say there

are good things in swamps, except at 400 University Avenue.

The purpose of this bill is to provide greater protection for the health and safety of workers, since the Ministry of Labour will not. Persons who were formerly excluded from the protection of the act would now be covered by the repeal of subsections 3(2) and (3), 8(1) and 23(1) and (2), plus a whole series of other amendments which give power to the workers to protect themselves at last.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

Hon. Mr. Nixon: I am tabling the answers to questions 296, 384, 397, 398, 401 and 449, and the interim answer to question 404 [see Hansard for Monday, November 24].

ORDERS OF THE DAY

TOWN OF MARKHAM ACT

Mr. Eves moved, on behalf of Mr. Cousens, second reading of Bill Pr23, An Act respecting the Town of Markham.

Motion agreed to.

Third reading also agreed to on motion.

INSTITUTE OF CERTIFIED MANAGEMENT CONSULTANTS OF ONTARIO ACT

Mr. McFadden moved second reading of Bill Pr24, An Act to change the name of the Institute of Management Consultants of Ontario to the Institute of Certified Management Consultants of Ontario.

Motion agreed to.

Third reading also agreed to on motion.

LONDON LIFE INSURANCE COMPANY ACT

Ms. E. J. Smith moved, on behalf of Mr. Offer, second reading of Bill Pr33, An Act respecting London Life Insurance Company.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF SCARBOROUGH ACT

Ms. E. J. Smith moved, on behalf of Mr. Polsinelli, second reading of Bill Pr52, An Act respecting the City of Scarborough.

Mr. Warner: I appreciate the opportunity to make a few brief remarks on this bill.

Hon. Mr. Nixon: You got it.

Mr. Warner: Is the government House leader disappointed that there will be only a few brief

remarks? Is that what the problem is? At his request, I could make a lengthy speech, if that would be more suitable.

Hon. Mr. Nixon: I know you can. By the time you quit fooling around, it will be.

Mr. Warner: I see. I am quite pleased to see this bill come before the House. I gather that my good colleague the member for Scarborough West (Mr. R. F. Johnston) had some considerable input into helping to generate the legislation.

I am not sure about other people's communities, but in ours we have had some difficulty in attempting to protect our ravines. This legislation will assist Scarborough in helping to protect our ravines and to ensure that people do not make adjustments to their property without duly notifying the authorities so they do not create problems. Unfortunately, we had a circumstance whereby some individuals made changes to their property that backed on to a ravine. In turn, that ultimately caused some flooding somewhere else in the ravine, and the damage that resulted from that flooding was quite extensive.

15:20

As the members are well aware, unless we take positive steps to protect our environment, in some cases there is no opportunity to redress damage that is done. This is a positive step by the city of Scarborough. I am quite pleased to see it bring the legislation forward.

It should be noted that Scarborough means business with this. There is a provision for fines of up to \$25,000, exclusive of cost, for breaching the provisions regarding the destruction of trees. We in Scarborough are quite intent on doing everything reasonable and possible to help protect our natural environment. This is one very positive step forward. Along with my good colleague, who now is entering the House, I am most pleased to support it. He in turn might wish to make a few remarks since he was the instigator of this good piece of legislation.

Mr. R. F. Johnston: As always, the intuition of the member for Scarborough-Ellesmere (Mr. Warner) is right on. I do wish to make a few comments.

An hon. member: Infallible.

Mr. R. F. Johnston: Close to infallible, one would have to say. I appreciate the note that brought me scurrying back here. I had no idea the Legislature would act with propitious haste today on these private members' matters. It would be a shame for this bill to go through without my being able to participate a little in the debate because of the origins of this bill.

Although there has been a long-standing dialogue in Scarborough about the need to protect our ravines, such a wonderful natural asset, there has not been the same kind of protection that has been evident in the city of Toronto. It was because of a particular case in my riding that this bill was actually developed and brought forward. Not to seem small-minded about this, I might remind the government, especially with the whip and the government House leader in the House, that it used to be the practice of the past government, when issues affecting the riding of Riverdale and eastern Toronto were raised, to give Mr. Renwick the privilege of bringing those private bills into the House even though there were many Conservative majorities through those years.

As this bill had its initiation because of a case in my riding, I would have felt very privileged indeed to have been the person who brought it forward rather than a member from North York, from the government caucus, which is what it decided to do. It is not that I regret that the name of the member for Yorkview (Mr. Polsinelli) is on this bill. Rather, since the whole cause and issue developed as a result of an issue in my riding, it might have been nice to have been approached on this matter.

The matter involved somebody trying to develop into the ravine from his private property an extension in the Fallingbrook Crescent area of my riding that would have unduly affected both other private properties in the area and the ravine itself; it would have jeopardized its ability to exist. This legislation finally gives power to the city of Scarborough to take action to stop this kind of untoward development that may jeopardize the ravines in our area. They are such fragile pieces of property, I am delighted to see it here.

I am not going to take the time of the members of the House at this point to talk at length about the problems we had. Let it be said that they were substantial and that I welcome this very swift action in terms of trying to mediate the problem. I do not wish my remarks to seem as though I was only concerned that I might have been the one who introduced it. It would have been nice to have been informed about its introduction and to have been given the possibility of being the member who brought it forward and at least to have had a chance to speak to it more fully in committee.

Hon. Mr. Nixon: I want to acknowledge what the member for Scarborough West said about the carriage of private legislation. My own experience with this is that the municipality concerned

asks a member of the Legislature to do it; it is not at the advice of the government, although I could be wrong in this regard.

While the honourable member was speaking, the whip, who moved second reading in the absence of the member for Yorkview, suggested that as an indication of our close co-operation in this important matter, when the order for third reading comes, the member for Scarborough West might like to move third reading in the absence of the member for Yorkview.

Mr. R. F. Johnston: It is very kind of the government House leader to say so. I accept the suggestion. The problem was that the city made a request of a cabinet minister, the Minister of Transportation and Communications (Mr. Fulton); therefore, it was not possible, and it fell to the member for Yorkview in the end.

Motion agreed to.

Third reading also agreed to on motion.

THIRD READINGS

The following bills were given third reading on motion:

Bill 22, An Act to amend certain Acts respecting Regional Municipalities;

Bill 23, An Act to amend certain Acts in relation to Line Fences;

Bill 25, An Act to amend the District Municipality of Muskoka Act;

Bill 72, An Act to amend the Powers of Attorney Act;

Bill 123, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 128, An Act to amend the Employment Standards Act.

LOI DE 1986 SUR LES SERVICES EN FRANÇAIS

FRENCH LANGUAGE SERVICES ACT

L'hon. M. Grandmaître propose la troisième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

Hon. Mr. Grandmaître moved third reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

Hon. Mr. Nixon: I think the honourable minister and one or two others might like to have a word to say on this important occasion, and perhaps the minister would start.

If the minister does not choose to speak, then of course he can wind up, and the honourable members from the opposition who have been

prepared to speak might be good enough to stand up and get going.

15:30

M. Shymko: Monsieur le Président, comme vous le savez, nous soutenons le projet de loi 8. Nous sommes fiers du fait que cette loi devient enfin réalité. C'est grâce aux recommandations, aux amendements de ce côté-ci que l'on a inclus le palier municipal dans le secteur tenu d'offrir des services en français.

Je voudrais simplement indiquer qu'une délégation de représentants des universités est présente aujourd'hui.

Il y a une inégalité régionale qui existe aujourd'hui en ce qui concerne l'accès des jeunes Franco-Ontariens aux universités. Nous savons très bien qu'en débattant le projet de loi en deuxième lecture, on a essayé de souligner les questions de l'enseignement et de l'accès aux universités et des moyens d'ouvrir ces portes aux jeunes francophones qui n'y ont pas accès.

Nous savons très bien que c'est seulement à l'Université d'Ottawa que se trouve une faculté de médecine qui donne de l'instruction en langue française. C'est seulement à l'Université d'Ottawa que nous trouvons une telle faculté de loi. C'est seulement à l'Université d'Ottawa qu'on peut suivre des cours pour devenir technicien dans le secteur de la médecine.

Nous savons très bien que le critère d'admission à l'Université d'Ottawa est un critère régional, la priorité qu'on donne est une priorité régionale et on ferme les portes aux jeunes Franco-Ontariens du Nord de l'Ontario, ceux des régions hors de la capitale, Ottawa, et ceux des alentours d'Ottawa. C'est par miracle qu'un jeune étudiant candidat de Timmins, de Kapuskasing, de North Bay peut être admis à la faculté de médecine ou à la faculté de loi de l'université pour suivre n'importe quel cours à l'Université d'Ottawa.

Et cette inégalité nous trouble. Je suis fier du fait que le ministre de l'Éducation (M. Conway) est présent aujourd'hui lors de l'adoption de la troisième lecture de ce projet de loi.

Je voudrais que cette préférence régionale, cette discrimination soit éliminée par tous les moyens.

Espérons que, dans le travail de cette commission pendant les trois prochaines années, il y aura des recommandations au gouvernement, au ministre des Collèges et Universités (M. Sorbara) ainsi qu'au ministre de l'Éducation, pour éliminer ces obstacles à l'entrée de nos jeunes étudiants dans les universités.

Comme je l'ai dit auparavant, je félicite le gouvernement pour le fait qu'enfin, on a une loi. Je félicite le gouvernement du fait que l'on a inclus les municipalités parmi les organismes tenus d'offrir des services en français. On a essayé de faire adopter un amendement qui aurait permis à la commission de présenter son rapport après deux ans au lieu de trois ans; malheureusement, on l'a rejeté. C'est la vie, on ne peut pas tout gagner. Alors, espérons que cette loi va éliminer l'injustice qui, pendant de longues années, était une réalité dans cette province.

M. Pouliot: Monsieur le Président, ça fait plaisir chez nous, les francophones de l'Ontario; mais permettez-moi d'ajouter, non seulement pour ceux de l'Ontario mais aussi pour ceux des provinces voisines, soit le Manitoba, qu'on y ajoute la province de Québec et les autres territoires qui font partie de notre grand et beau pays.

Ceci est un jour historique, avec un document symbolique. Il y a longtemps que nous attendons que justice soit faite à la francophonie en Ontario. Bien sûr, on aurait pu nous dire aujourd'hui que l'enchâssement des droits chez nous était chose faite, qu'on garantissait les droits de la minorité francophone en Ontario dans la Constitution. Le gouvernement n'a pas choisi de le faire à cette époque, de le faire aujourd'hui.

Quand même, dans l'esprit de solidarité qui a caractérisé les débats—je parle ici, naturellement, de la loi qui sera adoptée dans quelques minutes, espérons-le à l'unanimité, celle qui a été attendue—on pourrait dire que c'est le début d'un temps nouveau; qu'aujourd'hui débute l'espoir que demain, l'an prochain, dans les années à venir, les services offerts aux francophones seront des services de tous les jours; et peut-être qu'un jour, si on suit cette philosophie, nous pourrions tous ensemble avoir chez nous, francophones, les services que non seulement les anglophones mais d'autres personnes prennent pour acquis quotidiennement.

Depuis 400 ans—et je n'ai pas l'intention de prendre les quelques minutes qui sont à ma disposition pour rappeler aux députés ce qui s'est passé depuis le temps de Cartier, suivi de celui de Champlain en passant enfin par celui de Maisonneuve—mais il faut dire que nous sommes un peuple fondateur, que nous avons attendu et nous avons su mettre, avec l'aide de plusieurs, nos idées et nos aspirations sur le papier.

Aujourd'hui, c'est un jour de victoire. Si on me permet de le dire, je vois mon cher ami le député de High Park-Swansea (M. Shymko), qui lui aussi a su lutter avec nous. Naturellement, il y

en a d'autres: mes amis du Parti libéral se sont joints aux Conservateurs et à nous.

Donc, on dit merci à plusieurs personnes. On dit merci à l'Association canadienne-française de l'Ontario. On connaît le compliment que M. Plouffe nous a fait par ses visites. Si on parle de M. Plouffe et de ses efforts comme président de l'ACFO, il faut aussi souligner les efforts de Catherine Lengyel. Ce sont des gens qui ont su nous appuyer et nous signaler ce qu'il fallait faire afin que justice soit faite, et qui ont su aussi nous encourager à le faire.

Donc, je termine ces propos en disant que bien sûr, on aurait voulu faire plus, mais nous ne devons pas oublier les efforts du gouvernement libéral, appuyés, naturellement, par les efforts du Nouveau Parti démocratique, en s'appuyant sur ce que l'ancien gouvernement du premier ministre Davis avait commencé.

Donc, à la Chambre, à mes collègues de l'autre côté, ainsi qu'à ceux de droite, on dit merci collectivement, on dit merci individuellement. Mais le plus important c'est le lever d'un jour nouveau où la francophonie, chez nous, en Ontario, devient chose vivante. Aujourd'hui, je suis fier d'être ici et de dire que chez le premier ministre (M. Peterson), je me sens chez nous.

M. Morin: Lorsqu'on qualifie l'adoption de la loi sur les services en français de moment historique, c'est bien peu dire. Les Franco-Ontariens ont attendu ce moment avec beaucoup de patience, depuis les débuts de la Confédération. Je suis donc extrêmement fier, en tant que Libéral, d'être membre du gouvernement qui a présenté cette loi. Je suis également très fier, à titre de vice-président, d'avoir eu le privilège d'assurer la présidence du comité plénier de l'Assemblée législative lorsque celui-ci a étudié le projet de loi 8, article par article, examen qui s'est d'ailleurs déroulé presque uniquement en français. Cela aussi est d'une importance historique.

15:40

D'assurer la présidence m'a également permis d'apprécier à sa juste valeur l'esprit de collaboration démontré par les groupes de pression, comme l'Association canadienne-française de l'Ontario, ainsi que par les députés des trois partis. J'aimerais souligner, en particulier, la contribution des députés d'Oshawa (M. Breagh), d'Ottawa Est (M. Grandmaître), de Cornwall (M. Guindon), de Prescott-Russell (M. Poirier), de Lac Nipigon (M. Pouliot), de York Sud (M. Rae), de High Park-Swansea et de Stormont, Dundas et Glengarry (M. Villeneuve). La collaboration remarquable et l'appui non

partisan prêté aux services gouvernementaux bilingues dont ont fait preuve tous ces députés offrent un exemple admirable aux autres provinces canadiennes qui ne garantissent pas encore ce droit à leur population francophone.

Je ne me fais cependant pas d'illusions. Le projet de loi 8 ne constitue qu'un point de départ. Il reste encore beaucoup à accomplir, notamment une explication claire et précise des dispositions de la loi, à l'intention du public. Tous et chacun doivent comprendre que cette loi ne pose de menace à personne mais, au contraire, constitue un indice de progrès. Il s'agit là d'un grand pas en avant.

Enfin, nous devons tous nous féliciter de notre bon travail au chapitre des services en français.

M. Villeneuve: Moi aussi il me fait plaisir aussi de donner mon approbation au projet de loi 8, tel que discuté récemment en Chambre tout en français. C'était certainement une journée très spéciale pour la Législature de la province de l'Ontario. Je regrette que nous ne puissions pas rendre ce projet de loi légal avant trois ans. Alors, on parle probablement de 1990 et, espérons-le, un peu plus tôt, mais on vise 1990.

Le projet de loi 8 va certainement ouvrir des portes à nos Ontariens d'expression française. Je donne mon appui au projet de loi 8 avec des réserves. Je sais que certaines personnes sont venues de Prescott-Russell, aujourd'hui, faire des démarches auprès du ministre de l'Éducation, que je vois en Chambre cet après-midi, parce que le projet de loi 75 nous permet d'être maîtres chez nous, sauf dans Prescott-Russell.

Je suggère fortement au ministre de l'Éducation de jeter un coup d'oeil de nouveau sur son projet de loi. Peut-être la région de Prescott-Russell devrait-elle, avec ses 75 pour cent d'Ontariens d'expression française, être choyée un peu plus que l'on le fait actuellement.

Il était aussi ironique, cet après-midi, que nous avions en Chambre des élèves de l'École secondaire de Penetanguishene. Il se produit des choses un peu drôles depuis que le juge Sirois a rendu sa décision. Il semblerait—et je suis content que le premier ministre de l'Ontario soit ici cet après-midi—que le gouvernement de l'Ontario soit en train de remettre en question la décision du juge Sirois.

En d'autres mots, le gouvernement de l'Ontario nous donne quelque chose qui, je l'espère, n'est pas seulement symbolique, comme mon collègue de gauche l'a mentionné, mais qui va prendre racine et ne pas être seulement du symbolisme. Mais la question de la décision du juge Sirois, dont le gouvernement de l'Ontario

fait appel actuellement, me laisse inquiet. Cela m'inquiète énormément parce que si la décision du juge Sirois était renversée, nos Ontariens d'expression française dans la région de Penetanguishene deviendraient des citoyens de deuxième classe, et ce n'est pas la façon dont on devrait procéder, surtout qu'en cette journée nous présentons le projet de loi 8 qui est censé nous donner l'égalité.

Alors, ce sont les choses qui m'inquiètent, et je suis certainement heureux de voir que le premier ministre, ainsi que le ministre de l'Éducation, sont en Chambre cet après-midi. J'aimerais connaître leurs réactions sur ces quelques questions.

M. Poirier: En attendant qu'il y ait plus de députés francophones chez les Néo-Démocrates, on va prendre le tour.

À titre de député de Prescott-Russell, à titre de Franco-Ontarien et également à titre de président de la section de l'Ontario de l'Association internationale des parlementaires de langue française, c'est un plaisir pour moi de me présenter en Chambre et d'appuyer la troisième lecture du projet de loi 8, garantissant des services en français à la population francophone de l'Ontario.

On a parlé, lors des anciens discours justement, de toutes les attentes que les Franco-Ontariens et les Franco-Ontariennes ont eues à travers les temps, en Ontario. Je me rappelle, en lisant le livre *Nos Parlementaires* de l'auteur Paul-François Sylvestre, qu'on s'aperçoit que depuis le tout début de l'Ontario, les Franco-Ontariens et les Franco-Ontariennes ont lutté avec acharnement pour essayer d'obtenir de ce gouvernement-ci la reconnaissance du droit à recevoir des services en langue française.

Également, je souligne qu'à titre de député libéral, membre du gouvernement Peterson, j'ai eu l'honneur de participer pleinement et d'appuyer mon collègue le ministre délégué aux Affaires francophones (M. Grandmaître), depuis le tout début, pour que le gouvernement libéral Peterson soit le premier à faire une si grande journée pour l'avancement de la cause des Franco-Ontariens et des Franco-Ontariennes.

On a également souligné que c'est une première étape dans les grands pas à prendre vers une reconnaissance officielle de la langue française en Ontario. Récemment, nous avons eu plusieurs rencontres avec des parlementaires de langue française qui sont venus d'ailleurs, à Toronto, pour l'installation officielle de l'AIPLF, le 5 septembre, et je peux dire que ces bonnes gens ont été fortement impressionnés par

l'appui de ce gouvernement-ci au développement de la langue et de la culture françaises en Ontario. Je suis certain que nous ferons encore beaucoup plus. Nous mettrons sur pied un système valable et efficace. Cela prendra trois ans, s'il le faut, mais nous serons fiers du système en place.

Nous sommes également fiers de l'appui que nous avons reçu de la population francophone. Évidemment, ça fait très longtemps que nous aurions dû recevoir ces services-là, cette loi-là. Mais la récompense vient toujours à ceux et celles qui savent patienter.

Peu de temps après l'arrivée du gouvernement libéral en place, voilà le projet de loi 8, avec l'appui d'organismes comme l'ACFO, l'Association des enseignants franco-ontariens et d'autres—la grande majorité, sinon la totalité des organismes de langue française. Je suis certain que les Franco-Ontariens et les Franco-Ontariennes seront très fiers de se servir du système que nous mettrons en place et je suis certain que l'avenir de la francophonie, en Ontario, n'a jamais été aussi bien assuré que par le projet de loi 8 comme premier pas.

M. Harris: Je suis heureux, au nom des francophones de Nipissing et de tout l'Ontario, d'appuyer le projet de loi 8.

L'hon. M. Grandmaître: L'Assemblée législative de l'Ontario est sur le point de poser un geste historique, grâce auquel la population francophone de l'Ontario pourra maintenant s'engager dans un processus d'évolution et de transformation.

L'adoption du projet de loi 8 créera un contexte nouveau dans notre province parce que cette loi sera un véritable outil de développement qui nous permettra de poursuivre notre épanouissement comme francophones de l'Ontario.

15:50

Cette loi a été conçue comme un levier qui favorisera la participation des francophones aux prises de décisions des pouvoirs publics à l'égard de ce qui les concerne. Je pense sincèrement que c'est grâce à cette participation aux institutions que celles-ci refléteront davantage les aspirations des francophones.

Selon moi, les francophones de cette province ont atteint une telle maturité collective qu'ils peuvent désormais envisager leur avenir moins en termes de combat et de plus en plus en termes de légitimité.

L'influence d'éléments francophones au sein des institutions ontariennes permettra de modifier le climat social. La nouvelle politique du gouvernement, telle qu'elle est définie par le projet de loi 8, devrait permettre à la société

ontarienne d'élaborer à long terme un modèle de développement social axé sur le respect et la compréhension mutuels.

Je voudrais profiter de l'occasion pour rendre hommage à l'ACFO, au Conseil de l'éducation franco-ontarienne, au Conseil des affaires franco-ontariennes, à tous les organismes qui ont partagé avec nous tant d'années de souffrance, si je peux appeler ça des années de souffrance. Aujourd'hui, on peut se réjouir du projet de loi 8.

Qu'est-ce que l'Ontario vient de faire, aujourd'hui? On vient de déployer un satellite culturel, et le message qu'il dégagera est très simple: aujourd'hui, la province de l'Ontario reconnaît les deux cultures fondatrices de notre pays, chose très importante.

En plus, notre geste d'aujourd'hui démontre très clairement la volonté non seulement du gouvernement mais aussi du parlement de l'Ontario. Nous voulons que nos générations futures aient un héritage culturel. Dorénavant, les gens de l'Ontario, les francophones de l'Ontario pourront se vanter du fait qu'ils demeurent et qu'ils demeureront non seulement dans une province économiquement forte mais dans une province à deux cultures qui offre toutes sortes de possibilités.

Je remercie le chef du troisième parti, le député de York Sud, qui m'a toujours soutenu, et je veux remercier mon premier ministre, qui m'a toujours épaulé. Merci bien à tous ces gens-là qui ont pris part aux débats. Je crois qu'aujourd'hui nous nous réjouissons tous de cette grande victoire.

M. Guindon: Monsieur le Président, permettez-moi de vous dire combien je suis fier de constater que le projet de loi 8 est enfin réalité. L'adoption de cette loi vient confirmer la reconnaissance par le gouvernement de ce groupe important que constituent les Franco-Ontariens, qu'ils le soient de naissance ou d'adoption.

Plus d'un demi-million de francophones pourront désormais profiter, ou tout au moins commencer à espérer profiter de services dans leur langue. La loi adoptée aujourd'hui représente en quelque sorte l'aboutissement naturel des mesures mises en place progressivement sous les premiers ministres Robarts, Davis et Miller.

Cette loi vient garantir que ce qui a été gagné ne sera pas éliminé et elle nous assure la mise en place de services additionnels au cours des prochaines années, au fur et à mesure que les moyens techniques, financiers et humains le permettront.

Dans trois ans, l'Ontario devra avoir un niveau de bilinguisme très respectable si la commission chargée d'y voir parvient à respecter ses termes de référence et ses échéanciers. Je me réjouis personnellement du fait que le projet de loi original a été amendé pour inclure les municipalités, car c'est le niveau de gouvernement le plus proche de la population et celui qui dispense le plus de services directs aux contribuables.

Je suis finalement rassuré de constater que les pouvoirs accordés au Cabinet sont limités, car si le Cabinet avait conservé trop de pouvoirs discrétionnaires, la loi aurait perdu toute sa valeur, car il y aurait eu place pour trop d'exceptions, que ce soit au plan géographique ou dans le domaine des juridictions concernées.

Mais à cette fierté naturelle que je ressens en tant que francophone, à cet enthousiasme que j'éprouve au nom de mes concitoyens d'expression française du Nord, du Sud, de l'Est et de l'Ouest de notre province, se mêle un désir de voir avancer les choses. Il faut que cette loi soit plus qu'un document mis sur papier; il faut que cette loi fasse changer des choses dans cette province, en ce qui concerne la quantité et la qualité des services en français. Il faut que la commission se mette en marche au plus tôt, afin de nous apporter des résultats concrets avant son expiration, dans trois ans.

Et si vous me le permettez, Monsieur le Président, il faudrait rectifier le problème que nous avons dernièrement, au sujet des services aux francophones qui, d'après moi, se détériorent. Nous ne sommes pas disposés à attendre trois ans pour nous faire dire ensuite que rien n'a changé. Nous, du Parti progressiste-conservateur, aurions bien voulu que le mandat de ladite commission soit deux ans; mais puisque, à ce qu'on me dit, ce n'est pas possible, nous allons y veiller de près pour nous assurer que les choses bougent rapidement et positivement.

Oui, ce 18 novembre 1986 marque une date très mémorable dans l'histoire de la Législature de l'Ontario et dans l'évolution des Franco-Ontariens vers la pleine reconnaissance de leurs droits. Je suis heureux d'en être témoin et j'en profite pour rendre hommage à tous ceux et à toutes celles qui, au cours des années, par leurs démarches inlassables et leur esprit de combat, ont pavé la voie à cette victoire importante.

Je me réjouis avec tous les vieillards qui pourront peut-être recevoir des services en français dans les maisons de santé et les hôpitaux et qui pourront enfin avoir un dialogue franc et ouvert avec leurs médecins et leurs infirmières.

Je me réjouis avec tous les prestataires d'aide sociale et d'autres services gouvernementaux qui pourront poser des questions et avoir des réponses en français.

Je me réjouis avec tous les étudiants franco-ontariens qui étudient présentement en français et qui ont le droit d'espérer pouvoir travailler, un jour, en français.

Oui, en ce beau 18 novembre 1986, tous les espoirs nous sont permis et je peux vous assurer, Monsieur le Président, que je veillerai à ce qu'ils puissent se réaliser dans les délais prescrits par la loi—et avant cela, si possible.

Mr. Rae: I would like to start by speaking in English, because it is important that those who perhaps have difficulty in understanding French, and I am speaking not only to members of the House but also to people around the province, should take pride in this day as well.

I was born in Ottawa. I mentioned when I discussed this bill on second reading that, looking back over the past 30 years, the province has come a remarkably long way in finally coming to terms with its identity and with the needs and the rights of the francophone community that has had Ontario as its home for hundreds of years.

Even as a small boy, I was aware that French was in a sense a secret language in Ontario. It was a language of the streets and a language of the home. It was not a language of business and it was not a language of commerce. It was not a language of politics and, in many respects, it was not a language of education.

That situation of discrimination is one in which we can take no pride and one I am delighted to say has changed. It is worth pointing out that the minister who introduced this bill is the former mayor of the town of Vanier, which when I was a kid was the town of Eastview. The town of Eastview was perhaps the perfect example of what I am describing. French was the language of the street, French was the language of the family, but French was not a language one was encouraged to speak in the broader area of Ottawa.

16:00

I can remember when I first worked in Ottawa. I had a job as a guide in the Parliament Buildings. That was 20 years ago. If one wanted a tour in French, one had to ask for the tour in French. If one wanted a tour in English it was there automatically, but if one wanted to take a tour in French one had to ask for it. That has changed. Much has changed. Much has changed federally as a result of the initiatives that have been taken,

but I do not mind saying that when I came here as a member after being in Ottawa I was struck—I do not mind saying I was shocked—by the extent to which French was not a language that was accepted generally as one that one could speak with ease and with facility, with respect even, here in the Legislature.

Indeed, to speak French in the Legislature and to ask a question in French was regarded as almost a challenge to the political order of the day. I can remember the exchanges I had as a new member and as the new leader of our party with the Premier at that time, in trying to get Ontario to take that step which I am still convinced would make an enormous difference in our national life, and that is the step of making Ontario a province where French is constitutionally entrenched in the Constitution of Canada and where French is recognized as an official language in our province.

I want to go on record again today as saying to the Premier (Mr. Peterson), who is here for this historic debate, it is our view and it is my personal view that Ontario can do an immense amount for national unity by taking that next step beyond the step we have taken today, a step that would include and recognize French as an official language in this province and one that would guarantee those rights in the Constitution.

We are not jamming French down anybody's throat. We are not suggesting that those who cannot speak French should have any fewer rights than those who can. What we are suggesting is that those for whom French is their mother tongue should feel fully at home in Ontario. They should feel that Ontario is their home, a place where they can speak their language, where they can be themselves fully, not simply inside their living rooms, not simply in their dining rooms, but at work, in their education and in their ability to deal with their government.

Nous avons pris une mesure importante. Ce n'est peut-être pas l'étape finale; ça va prendre encore un peu de temps et un peu d'effort de la part de tous ceux parmi nous qui pensent qu'il est vraiment temps d'enchaîner ces droits dans la Constitution. Et on dit que c'est seulement une étape.

Je veux dire, au nom de mon parti, que nous sommes fiers du progrès que nous avons fait. Nous sommes fiers du fait qu'enfin, nous allons prendre des mesures concrètes, non seulement pour garantir un droit symbolique mais pour accomplir des choses réelles et profondes en ce qui concerne les services de tous les jours: pour

les personnes âgées, des services en français; pour les enfants, des services en français; dans tous les organismes qui fournissent des services sociaux, des services en français; pour ceux qui font du commerce avec le gouvernement, le droit de le faire en français, le droit de recevoir des services en français.

Ce sont des mesures importantes, et je tire une certaine fierté du fait que, grâce à deux de nos amendements, celui sur les municipalités et celui sur les droits des particuliers face à un gouvernement qui pourrait prendre des décisions qui sont commodes plutôt que celles qui sont nécessaires, nous allons garantir à ces personnes un certain droit devant les cours de lancer un défi, si on veut, au gouvernement et d'essayer de convaincre le gouvernement d'en faire davantage.

Alors, on n'est pas encore arrivé au bout, on n'est pas encore arrivé à notre destination finale; mais tout de même, on a fait du progrès. Je dois dire à tous les députés que je suis plus fier aujourd'hui que jamais d'être Ontarien. Je crois que je parle au nom de tous les députés lorsque je dis que oui, on peut tirer une certaine fierté de ce que nous avons fait, et je ressens, comme je l'ai dit, plus de fierté en cette journée où nous avons accompli quelque chose d'important: nous en sommes venus à un nouveau consensus provincial qui représente une victoire, d'abord pour la population francophone, qui se sentira plus chez elle qu'auparavant. De plus, c'est une victoire pour nous tous, parce que nous avons montré que nous habitons une province plus civilisée, plus sensible, plus généreuse, une province dont nous pouvons tous être encore plus fiers aujourd'hui.

L'hon. M. Peterson: Comme certains députés l'ont dit, il s'agit d'une occasion historique à cette Législature. Je veux remercier tous mes collègues de tous les partis, et aussi mes collègues dans les galeries, qui nous ont aidé à préparer ce projet de loi, mais surtout mes collègues à la Législature.

Il existe maintenant une atmosphère différente. Il y a un nouvel esprit de charité maintenant, et je crois que tous les partis ont des attitudes différentes. Nous avons constaté quelque chose de bon aujourd'hui.

C'était mon collègue Albert Roy, comme nous le savons, qui a toujours parlé, dans cette Législature, des droits des francophones, et ce sont ses idées à lui qui, depuis cinq ou six ans, je crois, figurent dans la formation de ce projet de loi.

Nous avons connu des débats avant ce débat-ci, dans un parlement différent. J'ai participé à un tel débat à cette époque-là et c'était

l'un des meilleurs débats que j'ai jamais connus à cette Législature. Mais comme nous le savons tous, la situation était alors différente. Il est intéressant de rappeler que tous les partis et tous les députés à la Législature ont appuyé le projet de loi en question, mais c'était l'avis du premier ministre de l'époque que ce n'était pas opportun de le faire dans les circonstances.

Je veux dire, encore une fois, merci à tous mes collègues pour le travail qu'ils ont fait sur ce projet de loi et pour le progrès que nous avons fait ensemble.

As my friend the leader of the New Democratic Party said, it is a great day for francophones, it is a great day for all Ontarians and it is a great day for Canada.

Je veux lire le télégramme de M. d'Iberville Fortier, Commissaire aux langues officielles, qui dit:

"Retenu à Kapuskasing, je regrette de ne pas pouvoir être présent à l'Assemblée législative à l'occasion de l'adoption de la loi 8 qui marque un tournant historique dans la reconnaissance des droits des Franco-Ontariens."

I want to translate this because I think it is extremely important, as my friend the leader of the New Democratic Party says, to say the same things in English as in French.

Il s'agit d'une occasion historique, où l'on ne peut pas dire une chose en français et une autre chose en anglais.

Mr. Fortier said to me in his telegram, "I regret that a visit to Kapuskasing prevents my being present to witness the passing of Bill 8, which is surely a turning point in the recognition of French rights in Ontario."

He goes on to say:

"Je félicite vivement son pilote, le ministre Bernard Grandmaître, les partis et tous les parlementaires ontariens. L'Ontario apporte ainsi une magnifique contribution au projet canadien de réconciliation nationale."

He says: "I would like to convey my heartiest congratulations to its pilot, Mr. Bernard Grandmaître, the minister of francophone affairs, and all the parties and parliamentarians of Ontario. The province has made a major contribution to the Canadian goal of national reconciliation."

C'est comme je l'ai dit: il y a une atmosphère différente à la Législature. Je crois qu'il y a une atmosphère différente au pays aujourd'hui. Comme nous le savons, les relations entre l'Ontario et le Québec sont différentes maintenant, et ce n'est pas seulement entre le Québec et l'Ontario, mais entre toutes les autres provinces et le Québec.

16:10

Demain, je vais discuter, avec mes collègues et avec les autres premiers ministres, de la possibilité d'apporter des changements à la Constitution canadienne parce que nous voulons inviter le Québec à faire partie de la Constitution. Je suis optimiste; j'estime que l'on pourra obtenir de bons résultats.

Mais les Québécois observent de très près ce que l'on fait ici, ce qui se passe à cette Législature, les voix des députés à la Législature. Maintenant, nous avons des débats en français. Ce n'est pas unique, ce n'est pas spécial, comme mon ami l'a dit. Cela fait partie de la période des questions orales de tous les jours et c'est une bonne chose.

Je me souviens de la première occasion où les chefs des trois partis ont discuté d'une question en français à cette Législature. C'était le député de York Sud qui posait une question à l'ancien premier ministre, le député de Muskoka (M. F. S. Miller), qui répondait en français; et moi, j'y participais en tant que chef de l'opposition.

Ça, c'était une occasion historique aussi. Maintenant, je ne suis pas surpris que la majorité du débat aujourd'hui se fasse en français. Et je ne sais pas, il y a peut-être 20 députés à la Législature qui parlent français et se sentent à l'aise en l'autre langue et l'autre culture. J'espère qu'un jour, tous les gens de l'Ontario vivront cette réalité: moi, mes enfants et les enfants de tous les députés ici et tous les enfants de l'Ontario.

It is a great day. I am told by parliamentary historians, by people who study these matters that this is the largest leap in the past 120 years for the francophones of Ontario. I am delighted to participate in that. I appreciate very much the support and help of my colleagues. We have much left to do, but now we are putting into practical effect the things we want to guarantee, real rights, not just rights in writing, not just words, but giving a real opportunity to our Franco-Ontarians to live and to work in their language.

Je veux remercier tous mes collègues de ce jour historique, de leur aide en ce qui concerne ce projet de loi. Il est important maintenant que nous utilisions toute la volonté et toute l'énergie nécessaires pour que la mise en oeuvre de cette loi réussisse. Il reste beaucoup de choses à faire. Nous devons avoir la coopération de toutes les agences du gouvernement et de tous les ministres et tous les ministères.

Il reste beaucoup à faire, mais après aujourd'hui, ce sera la loi de la province. C'est la

première étape et c'est d'une très grande importance. À mes collègues du Parti progressiste-conservateur et du Nouveau Parti démocratique, je dis merci beaucoup de ce jour historique.

M. Shymko: Monsieur le Président, en reconnaissance du caractère historique de ce projet de loi, plusieurs députés sont absents qui ne comprennent absolument rien en français. Est-ce qu'il serait possible de faire exception dans le processus que nous suivons?

Normalement, il n'y aurait pas de traduction en anglais des remarques en français faisant partie de ce débat, remarques qui furent faites exclusivement par les députés qui ont participé aux débats lors des deuxième et troisième lectures. Est-ce qu'on pourrait faire faire une traduction en anglais des débats qui ont eu lieu lors des deuxième et troisième lectures, pour les citoyens anglophones de cette province et pour les députés qui ne comprennent pas le français et qui, étant absents, n'ont pas eu l'occasion d'écouter la traduction simultanée?

Je me demande si, par un accord unanime des chefs des trois partis, on pourrait obtenir, en reconnaissance du caractère historique de ce moment, une traduction en anglais, pour les dossiers de Hansard, des remarques en français lors des débats sur ce projet de loi.

Hon. Mr. Nixon: On a point of order, Mr. Speaker: I am sure that by unanimous consent we can agree to provide the appropriate translations for this special event.

Le président suppléant (M. Morin): Est-ce que c'est une motion ou une recommandation?

M. Shymko: C'est une motion.

Le président suppléant: La motion est-elle adoptée? Is it the pleasure of the House that the motion carry?

La motion est adoptée.

Le président suppléant: L'hon. M. Grandmaître a proposé la troisième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

Hon. Mr. Grandmaître has moved third reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

La motion est adoptée.

Motion agreed to.

Hon. Mr. Nixon: His Honour the Lieutenant Governor has graciously agreed to attend the chamber for royal assent.

Hon. Mr. Peterson: I know this is unparliamentary, but may I remark that it is historic also

that we have a francophone sitting in the chair and a francophone Clerk of the House.

Je voudrais ajouter que le Président et le greffier de la Chambre sont francophones. C'est une occasion historique.

16:20

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT SANCTION ROYALE

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 8, An Act to provide for French Language Services in the Government of Ontario;

Projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario;

Bill 22, An Act to amend certain Acts respecting Regional Municipalities;

Bill 23, An Act to amend certain Acts in relation to Line Fences;

Bill 25, An Act to amend the District Municipality of Muskoka Act;

Bill 72, An Act to amend the Powers of Attorney Act;

Bill 123, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 128, An Act to amend the Employment Standards Act;

Bill 146, An Act to change the name of the geographic township of Stalin to the geographic township of Hansen;

Bill Pr23, An Act respecting the Town of Markham;

Bill Pr24, An Act to change the name of the Institute of Management Consultants of Ontario to the Institute of Certified Management Consultants of Ontario;

Bill Pr33, An Act respecting London Life Insurance Company;

Bill Pr52, An Act respecting the City of Scarborough.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur donne la sanction royale à ces projets de loi.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

ORDERS OF THE DAY

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Grandmaître moved second reading of Bill 48, An Act to amend the Municipality of Metropolitan Toronto Act.

Hon. Mr. Grandmaître: I am asking the House to give second reading to Bill 48, An Act to amend the Municipality of Metropolitan Toronto Act regarding pensions. This legislation is confined to the Metro municipality, recognizing that in such a large municipal jurisdiction members of council are required to devote a much larger proportion of their time to municipal businesses than are those in other areas.

Mr. Partington: I am pleased to rise in support of Bill 48. I believe it is important for all people to make every effort to prepare for their retirement years by ensuring they have adequate pensions. The time is long overdue when we can expect plans, such as the Canada pension plan, to provide adequate financial support for retirees. In response to this issue, many businesses, industry and government have taken the positive step of establishing supplementary pension plans for their employees. The existence of these benefits has become an important factor in attracting candidates to various jobs. One group which has not had the benefit of a supplementary pension plan is this province's municipal councillors. The presence of a supplementary pension plan for these individuals is important for two reasons.

First, in recent years, the obligations on a municipal councillor have increased significantly for the most part. As a result, in many instances, these individuals have become full-time councillors. The fact that they no longer retain outside employment means they no longer have access to company-operated pension programs, so a municipal plan would fill that gap.

Second, if we hope to attract quality candidates to municipal office, every effort must be made to ensure that they are adequately compensated. In today's economic climate, this does not

just require an appropriate salary; it also means the existence of benefits such as a pension plan.

As the minister indicated, this legislation only affects Metropolitan Toronto. I am somewhat concerned by the singling out of Toronto, but I am willing to recognize that the experience in Metro can be used and I hope eventually all municipal councils across the province will have similar plans. With that one reservation, I am pleased to indicate my support for this legislation.

Mr. Breagh: Very briefly, I want to indicate our support for the bill. There are a couple of things I want to get on the record. One is that this is an amendment to the Municipality of Metropolitan Toronto Act, so it will only deal with Metro council and it is by request of the council.

It is time the government began to consider the problem being addressed in this bill. The problem exists across the province. Other councils have not had the temerity to ask for this legislation, but they all have a similar problem. It is true that many members of municipal councils have had to leave their place of employment to fulfil their obligations on council.

It is also true that many of them are unable to participate in any kind of pension plan thereafter; so they are hung for a brief period while they occupy their council seat without any protection. Some of them, of course, will be able to provide some kind of pension plan on their own, but many of them will not.

The unfairness generated by that is very simply that those who have the economic means to plan for their own pension have a distinct advantage over others who may not have that kind of personal income. In the long run, that will militate against people having equal access to the political system, and I think that is quite wrong.

I know it is a bit of a controversial phenomenon. There are some people who do not think politicians at the local level should have the right to pensions such as this. I would be the first to say at federal and provincial levels, it seems to me, we have not quite got this routine down to perfection yet. There are still economic disadvantages to becoming involved in the political process.

It is also true that there is unfairness on the other side. There is sometimes an unwise use of the electoral process to decide what the benefits will be. The truth is that some politicians have pension plans that are unfair, too rich, too expensive or too much, while the vast majority of them have absolutely nothing at all. Provincially, we are kind of hung in the middle.

I view this as reasonable legislation for a first step, but there are two things I want the minister to consider as we pass this bill today.

First, it is time to address the larger question of plain fairness and opportunity to participate in the political process. In other words, people should be able to run for public office without having their families make a financial sacrifice, which is now the case in many instances. I would like to see the minister use this as the first step or as the example that we build on. I would like to see equal access to the political process at all levels and some economic fairness involved in it.

16:30

Second, I know the minister will be approached once again, for example, by my own public utilities commission, which wants to do the decent thing. It knows it has some retired employees who it feels should be treated as fairly as its present employees. It would like to extend to people who have already retired the benefit package that is now negotiated for all its employees.

I would like to see some movement in a couple of areas here. First, I would like to see this plan extended under a general review, just to make sure nobody pays a financial penalty for being a participant in the political process. Second, I would like to see whether we can pick out all those other little unfairnesses that are out there; instead of doing them by private bill, which is now the process used, we could amend the Ontario Municipal Act to see that there is fairness both for those who are elected and for those who are employed by municipal councils around the province.

We will support the bill.

Hon. Mr. Grandmaitre: With reference to the two points brought up by the member for Oshawa (Mr. Breagh), I remind him that 90 per cent of all municipal politicians are covered under the Ontario municipal employees retirement system, but this is a supplementary plan. I will take back his suggestion with me when I meet—

Mr. Breagh: That is not covered under OMERS.

Hon. Mr. Grandmaitre: I know. The honourable member is talking about the supplementary. I will take this back to the Association of Municipalities of Ontario and talk about the possibility of amending the Municipal Act to provide this supplementary pension plan.

Motion agreed to.

Third reading also agreed to on motion.

BUSINESS CORPORATIONS AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 66, An Act to amend the Business Corporations Act, 1982.

Hon. Mr. Kwinter: Before I speak to the bill, I want to make a very brief statement in response to a news communiqué released by the Leader of the Opposition (Mr. Grossman), in which he stated that he felt the bills being debated today were not terribly important and that we should proceed with major items.

I want to put on the record that when we deal with the hiring practices of this province and the access that people should have to agencies, boards and commissions that are run by the government, I think it is a matter of great importance and I do not think it should be downplayed in any way. Bill 66, which deals with small business, is also a very important bill and deserves to be dealt with as quickly as possible, which is why we are bringing it forward today.

The Business Corporations Act, 1982, came into effect in July 1983. The bill before the House today for second reading contains the first set of amendments to this legislation since its enactment more than three years ago. Members may recall a similar bill was brought before the House in the fall of 1984. The amendments proposed in Bill 66 are required to ensure that the legislation works smoothly and achieves its desired purpose, clarifies the intent of the existing act and corrects certain anomalies that have resulted, in most cases, from different interpretations of wording.

The amendments are of three types: substantive, technical and housekeeping. I shall deal first with what I think are the most important changes to the act.

In sections 7 and 9 of the bill, we are amending the act to permit the issue, transfer or pledge of shares and other securities by means of computer entries. The computerization will be an alternative to the traditional and cumbersome transfer of pieces of paper; that is, security certificates. The changes to sections 53 and 85 of the act will permit clearing agencies to record transfers and pledges of securities by means of computer entries. These securities include those issued by governments or their agencies as well as partnerships.

It is important to note that these amendments are required so that the Canadian Depository for

Securities Ltd. may more effectively and on a firmer statutory basis carry out the essential service it provides to the investment community. This body is the only central clearing agency now recognized by the Ontario Securities Commission. These amendments also have the wholehearted support of the users of the system: the Canadian Bankers' Association, the Investment Dealers Association of Canada and the Trust Companies Association of Canada.

Other important amendments will permit corporate registrants under the Securities Act to offer their shares to the public. Sections 5, 6 and 8 will give securities dealers the right to police the ownership of their publicly traded shares according to the rules and regulations set down by the Ontario Securities Commission and the Toronto Stock Exchange.

I now will move on to some amendments of a more technical nature.

Section 2 of the bill would allow a corporation to change its recorded, registered office address by means of a special resolution. This has been an accepted and usual procedure in Ontario corporate law for many years. Corporations will be saved the expense of amending their articles of incorporation and will be spared the added paper burden as well.

Section 17 of the bill deals with the rights of dissenting shareholders. It specifies that the exercise of a negative vote by proxy does not automatically mean a voter is dissenting. It also directs corporations to inform shareholders of the steps to take to dissent so that shareholders who wish to do so will be able to have their securities purchased by the corporation at a fair price.

Audit exemptions are the topic of section 21. The amendment clarifies that financial statements of corporations filed with the director under the act to obtain an audit exemption are deemed confidential and not available to the public. This provision is consistent with section 18 of Bill 34, An Act to Provide for Freedom of Information and Protection of Individual Privacy. In addition to the fact that this section will be reviewed when Bill 34 is discussed, that piece of legislation also provides that confidential financial information can be withheld if necessary.

Sections 18 and 23 deal with administrative needs and are retroactive in nature. Section 18 permits the director appointed under the act to cancel certificates of corporations that may have been issued prior to the enactment of the Business Corporations Act in 1983. Section 23 permits the director to correct errors that might

have occurred prior to the proclamation of the act.

I have one minor amendment to section 11 of the bill, and I will be moving that the bill be referred to committee of the whole House for that purpose.

Upon reviewing the bill, the members will no doubt realize it is straightforward and will benefit the business community in a number of different ways. I urge the members to give it swift passage.

The Deputy Speaker: Are there any questions and comments or debate?

Mr. Swart: Debate.

The Deputy Speaker: Since there appear to be no questions or comments and no debate from the official opposition, I recognize the member for Welland-Thorold.

Mr. Swart: I say immediately to the minister that we are going to support this bill. I realize it is largely a housekeeping bill. It also provides the procedure for the electronic transfer of securities. It improves some of the procedures with regard to the transfer of securities.

I have two or three questions on sections that I want to raise with the minister. Because he has spoken now, I presume he will not get the chance to reply today to my questions or comments. Perhaps he can get the information to me before we deal with it clause by clause. His answers may determine whether we will be moving any amendments to this bill.

The first question I want to raise deals with sections 3 and 15 of the bill, the issue of shares in series. Although there are three amendments in those sections, the changes in subsections 25(4) and 25(5) of the act are not really substantial; the real change occurs in subsection 25(1) which, as amended, would permit the articles of incorporation themselves to authorize the issue of any class of shares in series and fix the number and determine the designation, rights, privileges, etc., attaching to the shares, as well as permitting the articles, where they authorize the issue of a class of shares in series, to authorize the directors—and this is a key part—to fix the number of shares and determine the designation, rights, etc., attached to the shares of each series.

16:40

The complementary addition to section 167 of the act by section 15 of the bill permits directors to authorize amendments to articles, where they are authorized by the articles, to divide any class of uninsured shares into series and determine the designation, rights, privileges, etc. When this is

done, the issuing of each share would not appear to require that the company's directors send to the director of the corporation the articles of amendments, as would be required where they have been authorized to fix the number of shares and to determine the designation, rights, etc.

Therefore, it appears we will have two standards. One will be on the issuance of shares where the director of corporations will have to be notified; but under this section, where the corporation takes it upon itself to fix the numbers of shares, etc., under this new legislation, the director of corporations may not have to be notified. Perhaps the minister can clarify that by letter or in some way.

Under section 4, dealing with the declaration of dividends, the present act implicitly precludes directors from issuing dividends contrary to unanimous shareholder agreement or to the articles of incorporation. However, both the present act and the proposed amendment, while still precluding this, will not declare the transfer of property contrary to the agreement or articles invalid for that reason alone. In the final analysis, this amendment merely makes explicit what is already implicit, without altering the effect of issuing dividends contrary to the agreement or articles. I would like the minister to provide me with answers about why they should not prohibit or provide penalties when dividends are issued contrary to the agreement or the articles.

I think I have satisfied myself with that one.

I want to move on to sections 7 and 9 of the bill, trading by electronic transfer of shares, and point out that the old subsection 85(8) of the act, dealing with a situation where a security certificate has not been issued, is repealed by the bill, presumably because it has been rendered obsolete by the provision creating uncertified security.

The new subsection 85(8), as created by subsection 9(3) of the bill, begins by defining the issuer. The substance of the definition is the same as that found in the new clause 53(1)(n), as amended by subsection 7(1) of the bill, except that rather than being restricted to a body corporate, as it is in clause 53(1)(n), an issuer here "includes a person, other than an individual, and a government or agency thereof."

It is not clear why this definition for "issuer" is reincluded here, as amended section 53 is in the same part of the act, and why it is necessary to make the definition in subsection 85(8) somewhat broader than that found in subsection 53(1). Why is there this difference in the definition of an issuer? Perhaps the minister would like to reply

to that question in writing, if he is not able to do so here.

I want to move on to section 13, the deemed ownership of shares. Section 13 repeals clauses 138(2)(c) and (d), deemed ownership of shares for purposes of insider trading rules, and substitutes new paragraphs therefor. The term "voting securities" replaces the word "shares" in each of the amended clauses. This is the only change made by section 13.

However, the proposed change, substituting the term "voting securities" for the word "shares," narrows the class of shares that are considered to be owned for purposes of insider trading because, by definition, "voting securities" excludes nonvoting shares and shares that have voting rights in limited circumstances, which circumstances have not obtained. Is it the minister's deliberate intent to put these further restrictions on those shares that at present have some limited voting rights?

Finally, I refer to section 23, which provides that subsection 273(1), regarding endorsement of a corrected certificate, is repealed and new provisions are submitted. The new section alters the substance of the provision in three ways. It makes it clear that the certificate in question could have been endorsed under this act or a predecessor act. It allows a corporation, its directors and shareholders to apply to the director for a corrected certificate. At present, all such corrections must come at the initiative of the director. Only the corporation, not the directors or the shareholders, is required to surrender the certificate and related articles, and accordingly, only the corporation has the right to be heard on the question of whether the certificate should be corrected.

The first two changes are minor and only clarify the act. The third, however, poses some questions. What must be asked is the effect of denying the shareholders and directors the right to be heard on the issue of whether the certificate should be corrected. As the section now reads, they have such a right, but the amendment denies it to them. This may be only a minor change, but I would like to have that clarified.

Those are all the comments I have to make at present, but I would like answers from the minister to the questions and issues I have raised with him, so that before it goes to committee of the whole I will know the full intent of what the minister proposes and will be able to move any amendments I deem desirable.

Hon. Mr. Kwinter: I would like to defer answering the questions the member has asked

and get those answers to him, because he has stated that he does not want to deal with the bill until he gets them. I would like to move the motion for second reading of the bill; if we do that, can we go to committee of the whole?

Motion agreed to.

Bill ordered for committee of the whole House.

16:50

House in committee of the whole.

BUSINESS CORPORATIONS AMENDMENT ACT

Consideration of Bill 66, An Act to amend the Business Corporations Act, 1982.

Mr. Chairman: Are there any comments, questions or amendments any honourable member wishes to make and, if so, to what sections?

Mr. McClellan: I would like to know why the Chairman threw the Acting Chairman out of the chair.

Mr. Chairman: The member for Bellwoods is out of order immediately, before we even start.

Hon. Mr. Kwinter: Section 11.

Mr. Chairman: What other sections?

Hon. Mr. Kwinter: That is the only one.

Mr. Swart: Before we go to section 11, is the minister going to answer the questions I raised? Is it not standard procedure that if we go first to his amendments in section 11, we carry 1 to 10 ahead of that, and then we will be precluded from getting the answers?

Mr. Chairman: I am asking for a shopping list or a menu of amendments and questions and the section numbers. The member for Welland-Thorold wants to ask questions, suggest amendments, make statements, etc., with regard to which sections?

Mr. Swart: First, in regard to sections 3 and 15, which are dealt with together, I am not sure whether the minister wants me to put the question again or whether he is clear and has a response for me. I do not wish to take up the time of the House unless it is necessary, but I will put it again if that is his wish.

Mr. Chairman: The member for Welland-Thorold was in debate when he said he was interested in certain questions and answers. Technically, he was not putting them to the minister. However, the member has questions on sections 3 and 15.

Mr. Swart: Yes.

Mr. Chairman: I thought I heard him mention section 23 during the debate.

Mr. Swart: I have some other questions, as you have correctly stated, Mr. Chairman, on three other sections as well.

If you wish to pass sections 1 and 2 before I deal with section 3, I am prepared to sit down and have you deal with those.

Mr. Chairman: That is fine, but the procedure is that I am trying to round up at this point the total number and the identity of the sections members wish to speak to. Will the member please list them? I know section 23 was another one.

Mr. Swart: Yes. There is also section 4, the declaration of dividends, sections 7 and 9, which are dealt with together in the bill, section 13 and section 23.

Mr. Chairman: The minister's only section was 11. Hearing nothing other than that, shall sections 1 and 2 stand as part of the bill?

Section 1 and 2 agreed to.

On section 3:

Mr. Swart: I put this in the form of a question to the minister. It deals with subsection 25(1) of the act, which is amended by section 3. It permits the articles of incorporation to authorize the issue of any class of shares in series and to fix the number and to determine the designation, rights, privileges, etc., attaching to the shares, as well as permitting the articles which authorize the issue of a class of shares in series to authorize the directors to fix the number of shares and to determine the designation, rights, etc., attaching to the shares of each series.

The complementary addition permits directors to authorize amendments to articles where they are authorized by the articles to divide any class of unissued shares into series and to determine the designation, rights, privileges and so forth. However, when this is done, the issuing of each share would not appear to require the company's directors to send to the director of corporations articles of amendment that would be required where they have been authorized to fix the number of shares and determine the designation, rights, etc., under the normal procedures.

What is the minister's intention in introducing an amendment which appears to bypass the director of corporations when boards of directors use this section of the new amendment?

Mr. Chairman: The committee will note that the minister's assistants have entered the chamber, and he has taken a front seat. Is there any objection to that? No.

Hon. Mr. Kwinter: Under section 25 of the act, as set out in section 3 of the bill, a dual system is going to be provided. If it is in the articles, it has been so provided that when shareholders authorize the articles and when the directors have authority to do this, the new subsection 25(1) will merely require the directors to amend the articles for the purposes of a corporation's public file.

There will be a provision and it will be a dual system, depending on how they want to go.

Mr. Swart: I am not sure that answers my question. I realize there is a dual system; however, under one system, the director of corporations in the ministry has to be notified. It appears that under the second system he does not have to be notified, and I am wondering at the difference, if I am correct. Why should he not have to be notified when the board of directors uses that second system which, I suggest, is a reasonable system? Why should the director of corporations not have to be advised? Am I wrong in my interpretation?

Hon. Mr. Kwinter: There is already a provision there, and he is advised by the articles that appear. The shareholders of the corporation have bestowed that right; as a result, it is provided for.

Mr. Chairman: Is the member for Welland-Thorold satisfied with the answer to his question?

Mr. Swart: No, I am not completely satisfied. Is the minister telling me another section will provide that they must notify the director of corporations if they issue this class of shares in a series. Is he saying that the director of corporations in his ministry will know?

Hon. Mr. Kwinter: Section 3 states:

"Subsections 25 (1), (4) and (5) of the said act are repealed and the following substituted therefor:

"(1) The articles, subject to the limitations set out in them,

"(a) may authorize the issue of any class of shares in one or more series and may fix the number of shares in, and determine the designation, rights, privileges, restrictions and conditions attaching to the shares of, each series...."

The articles provide for it and authorize it to happen.

Mr. Swart: I do not want to belabour this point and I do not profess to be an expert on this, but the question I have asked really has not been answered.

Granted they have been given this power to market these shares—to divide them, to put them

in a series and market them—is the director of corporations notified of these, as he would be when they are done under the normal circumstances? I do not know whether I make myself clear. Is that a requirement, or is this to be done in such a limited manner that it is not necessary?

It seems to me the director of corporations should be notified if a company is going to issue additional shares. I am just asking whether it is possible that these could be issued without notifying the director of corporations. That is the question.

17:00

Hon. Mr. Kwinter: I am advised that when the articles are filed with the director, that serves as notice. The only time the director has to be notified again is if the shareholders and directors change what they are doing. Then they have to notify the director. The mere fact that the articles are passed and sent on to the director is the notification.

Section 3 agreed to.

On section 4:

Mr. Swart: This question is perhaps a bit more simple. The present act implicitly precludes directors from issuing dividends contrary to unanimous shareholder agreements or to the articles of incorporation. However, both the present act and the proposed amendment, while still precluding this, will not declare the transfer of property contrary to the agreements or the articles invalid for that reason alone. In the final analysis, this amendment merely makes explicit what is already implicit without altering the effect of issuing dividends contrary to the agreements or articles.

Are there penalties of any kind for issuing dividends contrary to the agreements or articles? If not, why is there not some penalty?

Hon. Mr. Kwinter: Section 4 of the bill does not contain specific penalties because the general penalty provisions of the act would apply. There are general penalty provisions within the overall act and as a result they do not have to be repeated in that section, but they would apply.

Mr. Swart: Can the minister tell me what kind of penalties might apply to directors who issue dividends contrary to the agreements or articles? It seems to me this can be rather a serious matter if those dividends were taken out of the funds of a company that was not very viable at some given time. What kind of penalties are provided for that?

Hon. Mr. Kwinter: The regulations under the Business Corporations Act, 1982, provide that

if, without reasonable cause, an act is committed contrary to, or fails or neglects to comply with, any provision of this act or the regulations, one would be guilty of an offence and on conviction would be liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or both, or if such person is a body corporate, to a fine of not more than \$25,000.

Mr. Swart: Unless I did not hear the minister correctly, that did not answer my question. I am not suggesting here that the dividends are issued contrary to the act; I am suggesting they are issued contrary to the agreements or articles of incorporation of that business. What penalty is there if that takes place? Do I make myself clear? I understand the penalties of the act. This may also be contrary to the act, but it is certainly contrary to the provisions of the articles of incorporation.

Hon. Mr. Kwinter: I am advised that, notwithstanding that they are dealing with this particular bill, it would be covered under the general penalty provisions of the act. It would be the same thing, because even though the bill is covered by the act, if there was a penalty to be imposed, it would come under the general provisions I have read to the member.

Mr. Swart: So that I understand this completely, is the minister telling me that if the directors should contravene the articles of the incorporation, then the penalties of the act apply and they would be subject to them?

Hon. Mr. Kwinter: That is correct.

Section 4 agreed to.

Sections 5 and 6 agreed to.

The Deputy Chairman: I believe the member for Welland-Thorold has questions on section 7.

Mr. Swart: They are on sections 7 and 9, which are dealt with together.

On sections 7 and 9:

Mr. Swart: As I pointed out in the debate, the old subsection 85(8) deals with a situation where a security certificate has not been issued. It is repealed by the bill, presumably because it has been rendered obsolete by the provision creating an uncertified security. The new subsection 85(8), as created by subsection 9(3), begins by defining "issuer." The substance of the definition is the same as that found in the new clause 53(1)(n), as amended by clause 7(1)(n), except that rather than being restricted to a body corporate, as it is in clause 53(1)(n), an issuer here "includes a person, other than an individual-

—see paragraph 1(1)30—“and a government or agency thereof.”

It is not clear why this definition for “issuer” is reincluded here. As the amended section 53 is in the same part of the bill, why is it necessary to make the definition of subsection 85(8) somewhat broader than that found in subsection 53(1)? I would like to have the minister’s comments on that, because apparently there are two definitions, one somewhat broader than the other.

Hon. Mr. Kwinter: The provisions under section 9 of the bill are very technical wording to meet the requirements of the Canadian Depository for Securities Ltd. It was approved by its members. I referred to it in my opening comments as part of their requirements. I cannot give an exact answer on why it is duplicated and put in, but this was done in conjunction with the depository, and it was at their request that it was included.

Mr. Swart: I might further ask the minister, if there are two definitions of an issuer, is it possible the one section may have been overlooked? I am not suggesting it is a major problem, but could the minister take a look at that to see if there may be some need at a future date to amend the previous definition of the issuer?

Hon. Mr. Kwinter: We will review that for the member.

Sections 7 and 9 agreed to.

Section 10 agreed to.

On section 11:

The Deputy Chairman: Mr. Kwinter moves that subsection 125(2a) of the act, as set out in section 11 of the bill, be amended by striking out “filed” in the first line and inserting in lieu thereof “passed.”

Motion agreed to.

Section 11, as amended, agreed to.

Section 12 agreed to.

17:10

On section 13:

Mr. Swart: Relative to the changing of the word “shares” to “voting securities,” as I pointed out in my comments on second reading, this may restrict some nonvoting shares and shares that had limited voting rights from—in fact, it may remove those rights entirely. I want to ask the minister whether this is the intent of this or whether, again, it is a change in words and the full implication may not have been considered.

Hon. Mr. Kwinter: The intent and the purpose are to widen the scope of the section and

to make the definitions correspond with the insider definition.

Mr. Swart: Is the insider trading definition elsewhere in the act and is it exactly the same as this?

Hon. Mr. Kwinter: Yes, it is.

Section 13 agreed to.

Sections 14 to 22, inclusive, agreed to.

On section 23:

Mr. Swart: I want to read again to the minister a matter on which I would like some clarification. It concerns subsection 273(1). The endorsement of a corrected certificate is repealed and a new provision substituted in section 23. The new section alters the substance of the provision three ways. It is made clear that the certificate in question could have been made and endorsed under this act or a predecessor act. It allows the corporation and its directors and shareholders to apply to the director for a corrected certificate.

At present, all such corrections must come at the initiative of the director. Only the corporation, not the directors or shareholders, is required to surrender the certificate and related articles and, accordingly, only the corporation has the right to be heard on the question of whether the certificate should be corrected. That is the point. Only the corporation has the right to be heard on the question of whether the certificate should be corrected.

The first two changes are minor and only clarify the act. The third, however, poses some questions. What must be asked is the effect of denying the shareholders and directors the right to be heard on the issue of whether the certificate should be corrected. As the section now reads, they have such a right, but the amended act denies it to them. It seems there might be cases, if there were large numbers of certificates that needed to be corrected, where it should not be done solely by the corporation but where the shareholders and the other directors perhaps should have the right to be heard on this issue. I want to have some clarification or explanation of that.

Hon. Mr. Kwinter: It is the feeling of my officials that this amendment allows companies to apply for a corrected certificate and that a correction can be made to a certificate issued under a predecessor act. There is in no way a change in any right to be heard or any diminution of that. It may be that it is being incorrectly read or interpreted. It really does not deal with that, and the feeling is that it is an opportunity to correct the certificate.

Mr. Swart: I had rather hoped we would not have committee of the whole House on this today. We could then have checked some of these things somewhat further. I do not know that the procedure provided for committee of the whole to take place this afternoon.

Researchers who advised me on this said the amendments make a change in that procedure, which means the directors and shareholders do not have the right to be heard, when they had the right previously. If that is the case, and I have no reason to know whether the minister is correct on this or our researchers are correct on this, it could be a matter of some substance. Because we are dealing with this today—unless there is agreement not to finish this today and to come back at a future time—I have no way of knowing whether we are passing something that deprives some shareholders and directors of rights which all of us would agree they should have. I find myself in that dilemma, and perhaps because of that I shall have to vote against this section.

Mr. Breagh: If I may make a suggestion, there appears to be some need to go away and think about this for a while. Would it be possible to rise and report? We could come back to this bill on another day. There are two or three other bills in the charge of the same minister, and we could proceed with those. If it would be convenient for all members to take a break on this bill, to rise and report and proceed with the other legislation, it might resolve the difficulty in interpreting the act.

Hon. Mr. Kwinter: If the honourable member looks at subsection 273(1) of the act, all it really deals with is the ability to apply for corrected certificates. It makes no reference to the opportunity to be heard; neither does it in any way suggest the rights of any of the shareholders are in any way in jeopardy.

I respectfully submit that if the member for Welland-Thorold looks at the section, it is relatively simple. I can give him the assurance I have had from my officials that provision for shareholders to be heard is made in other sections of the act. I give my undertaking that we will get that to him. However, this deals with just that one section.

Mr. Swart: I am very much aware it deals with just that one section. I am also very much aware that the latter part of new subsection 273(1) says, “after giving the corporation an opportunity to be heard.” It does not say anything about giving the shareholders or the directors an opportunity to be heard; it is giving the corporation an opportunity to be heard. “Where the

director is of the opinion that it is appropriate to so do and is satisfied that such steps have been taken by the corporation as the director required, the director shall endorse a corrected certificate.”

It does not give the option to shareholders or directors to be heard. It does not give them that right; it does to the corporation. Therefore, I think that is taking away some rights.

I am not going to hold up this bill if the minister wants to proceed with it. I, and I presume my colleagues here with me, will just vote against this section, and we can have the bill passed today if that is the minister's wish. However, I have not yet heard from the minister an answer that satisfies me that it is not taking something away from the shareholders and the directors.

17:20

Hon. Mr. Kwinter: If I may, in the previous bill there was no provision for the shareholders to be heard, but it is implied that in order for this to be given effect, there has to be a resolution of the shareholders. The shareholders have to pass the resolution that authorizes the corrected certificate. There is nothing that is taken away or that has been changed that was not already there in the previous bill. We have not taken anything away because it was not there in the first place in this section. It is covered in the general bylaws as provided for under the bill.

I am in your hands. My officials keep saying there is no provision that we have changed. It is not as if we have changed something; it is exactly the way it was in the previous bill. Basically, what we are talking about is how we correct the certificate. It can be done only on the resolution of the shareholders, which implies their ability to be heard. If they did not pass the resolution, there is no way the certificate can be corrected.

Mr. Swart: This is the last time I will speak on this. I still do not understand the section that we have before us. Let me read it:

“Where a certificate endorsed or issued under this act or a predecessor of this act contains an error or where a certificate has been endorsed or issued on articles or any other documents that contain an error,

“(a) the corporation, its directors or shareholders may apply to the director for a corrected certificate and shall surrender the certificate and related articles or documents; or

“(b) the corporation shall upon the request of the director surrender the certificate and related articles or documents,

“and, after giving the corporation an opportunity to be heard, where the director is of the opinion that it is appropriate to so do,” etc.

The director makes the decision. I understood the minister to say that the shareholders previously had to do this; it had to be done by vote of the shareholders. There is no vote of the shareholders in this. The director makes the decision upon application of the corporation's director or shareholders, an application by them, I presume, or any one of them. The director makes that decision, but he hears only the corporation; he does not hear the shareholders.

If I am wrong in my interpretation, please tell me, but it seems to me that is a substantial change from what was there before.

I said it was the last time I was going to speak, and it is, if the minister wants to proceed. I do not say it is the most important thing we are dealing with in this Legislature. We will quietly vote in opposition to this section and he can have the bill passed today. But unless he has a further explanation, I think this section does take away something that was there before or implied before.

Hon. Mr. Kwinter: I appreciate the member's comments. Maybe what we can do, if it is agreeable to him, is that I instruct my officials to review the provisions and recommend any future corrective action if necessary. The advice I have from them is that there is nothing in this amendment that was not in the previous act. I would like to get the bill approved. I give him an undertaking they will look at it, and if there is a problem, they will address it.

Mr. Swart: I will accept that on perhaps one condition, with which I am sure the minister will comply; that is, that I will expect a letter on this from him so we will have an official interpretation under his signature.

Hon. Mr. Kwinter: I will be happy to give the member that assurance.

Section 23 agreed to.

Sections 24 and 25 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Kwinter, the committee of the whole House reported one bill with certain amendments.

LIQUOR CONTROL AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 119, An Act to amend the Liquor Control Act.

Hon. Mr. Kwinter: In respect of Bill 119, which reforms the hiring practices of the Liquor Control Board of Ontario, I want to make some general comments which also relate to the

companion Bill 120, which affects the Liquor Licence Board of Ontario.

This government is committed to the principle of equal access for the people of Ontario. This applies not only to services but also to government jobs. We feel that by implementing the same fair and impartial hiring and employment practices that public servants enjoy, we will be providing equal access to these jobs.

These employees are now appointed through orders in council, and this has been a continuing source of public complaint. These amendments demonstrate that we are listening to the people of Ontario. We believe the employment practices and procedures of the liquor boards should be based on qualifications and seniority rather than political affiliation, which has often been the criterion in the past.

Equal access to employment opportunities in the liquor boards is what the public has requested, and it will be accomplished by these amendments. We promised these changes in the April speech from the throne and followed up when the bills were introduced in July. Now we are ready to move ahead on our pledge to the people of Ontario.

Mr. Runciman: We are going to support this bill and its companion Bill 120. In our view, it is phoney legislation, which essentially wastes the time of the House. It supposedly depoliticizes the process, but we are fully aware of who makes appointments to the LCBO and the LLBO.

The government assumes it is going to be able to get some mileage on this, but in our view it is a further insult to the intelligence of the electorate, comparable to the beer and wine legislation the government brought in several weeks ago. We do not want to waste significant time in this House dealing with junk legislation such as this.

Mr. Swart: I rise to support this bill with some enthusiasm. I realize this bill does not guarantee that patronage will be removed from the Liquor Control Board of Ontario, nor does its companion bill guarantee that patronage will be removed from the Liquor Licence Board of Ontario, but if there has ever been one area in which political patronage was rampant, it was in the LCBO and the LLBO.

The Conservatives should be rightly condemned for what they permitted to take place; not only permitted to take place but also practised in terms of patronage in the liquor boards. I am not sure whether it was as bad all over as it was in the Niagara Peninsula, but in the Niagara Peninsula there was one top Tory whom everybody had to see. He was not an elected Tory, as far as being

elected to the Legislature or even elected municipally was concerned, but he was the person who had to be seen if one wanted a job. Nobody else but he had authority even to process applications. It was an absolutely disgraceful practice on the part of the Conservative government.

Perhaps because this is a new broom it may not totally transpire, but these bills will give the opportunity to have, for the first time in many decades, a clean system of appointments to the liquor boards. I do not do this often, but I commend the minister for bringing in this bill. I express the hope to him that this change will be fully used to eliminate the abusive patronage that was so prevalent under the previous Conservative government with regard to those who were employed by the Liquor Control Board of Ontario and the Liquor Licence Board of Ontario.

17:30

Mr. Breaugh: I just want to say, right on; that is the way it is.

Ms. Bryden: I too welcome this rather pious bill which, presumably, is ending a very bad patronage system by the previous government. There is a lot more that needs cleaning up in the treatment of employees of the liquor control board and the liquor licence board. They are subject to the Crown Employees Collective Bargaining Act, which was an act brought in really to prevent those employees from joining regular unions or from having a lot of the rights that employees in this province have under the Labour Relations Act and under the Employment Standards Act.

I have found recently that employees of not only the liquor control board but also of Brewers' Retail and of Brewers Warehousing Co. are subject to the control of this ministry or to the crown employees act. That act was intended to make it difficult for LLBO, LCBO and Workers' Compensation Board employees to organize.

As a result, these employees are not subject to the Employment Standards Act in many respects. I am told they are subject to the act with regard to pregnancy leave and equal pay—not equal pay for equal value but equal pay—but not regarding hours of work, vacation pay and holidays.

I recently had an employee who works for Brewers Warehousing Co. report to me that he did not get paid for the Thanksgiving holiday. He has worked a 40-hour week for four years as a nonpermanent employee. He also asked me how one becomes a permanent employee after work-

ing a 40-hour week for four years in a liquor store or a Brewers Warehousing facility.

There is nothing to protect people from that kind of an abuse. It means they get much lower benefits than full-time workers and they do not get their Thanksgiving holiday paid. That is shameful. It is time the minister looked into the employment conditions of the people who work for the LCBO, Brewers Warehousing and the Brewers' Retail stores and provided equal access and equal employment rights to those employees.

Hon. Mr. Kwinter: The member for Beaches-Woodbine stated in her comments that Brewers Warehousing employees were crown employees. I want to set the record straight. Brewers Warehousing is a private company owned by the brewers of Ontario. The LCBO regulates the brewing industry. It does not regulate those employees. The company is a private sector organization. All of the brewers in Ontario own Brewers Warehousing. They do all of their own hiring. It has nothing to do with the government at all. I wanted to apprise the member of that.

Ms. Bryden: A member of my staff went to the employment standards branch with regard to this employee and his Thanksgiving holiday. She was told by no less than the person second in command—the manager was on holiday—that these employees are not subject to the Employment Standards Act; they are crown employees. That is exactly what this government told her.

Motion agreed to.

Bill ordered for third reading.

LIQUOR LICENCE AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 120, An Act to amend the Liquor Licence Act.

Hon. Mr. Kwinter: The comments I made on Bill 119 are the same as those I have on Bill 120. I have no further comments.

Mr. Swart: My comments on the previous bill apply to this one. If anything, the situation may be worse under the Liquor Licence Act, because there the customers as well had political influence and had a determination on whether they got their licences and that sort of thing.

I doubt there is much danger the Tories will return to power in Ontario, at least for many decades. Just in case they should, it is nice to have this legislation in place to inhibit them to some degree in their attempts to provide once

again the patronage they provided during the past 40 years.

Mr. Runciman: On the fact that we are not returning to power, I thought a new alliance was being considered in the past couple of weeks. Apparently I was incorrect in that.

I have problems with some of the comments made by the member for Welland-Thorold (Mr. Swart) about licences and so forth. I do not think that was the case. During the election campaign, we recall the now Premier (Mr. Peterson) making some very strong allegations about licensees being encouraged to make contributions to the Progressive Conservative Party or to face the threat of losing their licences.

I asked the minister almost a year ago to substantiate that or withdraw those remarks. We have heard nothing from him or from the Premier in respect of those remarks.

A lot of the allegations made in the past by the member for Welland-Thorold do not hold water when you take a close look at the situation. There is no substance to them whatsoever. We ran a clean ship.

Ms. Bryden: With regard to this bill, I see the board has the power to establish job categories, salary ranges and conditions of employment.

I ask the minister to give us information on how these salary ranges and conditions of employment compare with those enjoyed by, say, other public servants. Are these employees unionized and are there rules about how one moves from a part-time temporary position to a full-time permanent position? Is it the same situation as appears to prevail under the Liquor Control Board Act?

The government must show itself as a good employer. I have heard several complaints from employees who feel they are not being treated fairly with regard to opportunities for permanent jobs, moving up the ladder and things of that sort. Would the minister look into the working conditions established by the board and tell us how they compare with the working conditions for public servants generally?

Hon. Mr. Kwinter: The member raises a question that is the essence of why we are bringing in this bill.

The employees of both the liquor control board and the liquor licence board are represented by unions. Notwithstanding that, in their collective agreements they have perceived there are some problems. The problems are because of the appointments by order in council.

What we expect to do is turn the hiring practices over to the board, which will be the

employer. They will then be able to negotiate in good faith. They will be able to set employment criteria that we feel will be fair and equitable and will allow the citizens of Ontario to access those agencies. That is the reason for the bill.

17:40

Ms. Bryden: By indicating to us that he is planning to do this examination of the conditions of employment and the methods of hiring and dealing with order in council employees, the minister indicates that in the past 18 months he has let these conditions continue in their previous unsatisfactory state. He would not be proposing or promising reforms if he had not.

It is high time something was done in this area and these employees were given fair treatment both in access to appointments and to promotions, and working conditions comparable to the conditions other unions have been able to get for similar employees in the public service.

Mr. Speaker: Does any other member wish to participate in the debate?

Mr. Runciman: Mr. Speaker—

Mr. Speaker: I believe the honourable member did participate earlier.

Mr. Runciman: And that is it?

Mr. Speaker: That is it.

Mr. Runciman: All right, but I have trouble with that. The member for Beaches-Woodbine (Ms. Bryden) participated on at least three occasions.

Mr. Speaker: That is correct and that is the way the rule stands. The member may make comments or ask questions in response to other members' comments and questions.

Does the minister have any final comment?

Hon. Mr. Kwinter: No.

Motion agreed to.

Bill ordered for third reading.

LAND TITLES AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 121, An Act to amend the Land Titles Act.

Hon. Mr. Kwinter: Bill 121, An Act to amend the Land Titles Act, and Bill 122, An Act to amend the Registry Act, deal mainly with hiring procedures. The purpose of these two pieces of legislation, as with the previous two bills relating to the liquor boards, is to alter current hiring practices substantially. The amendments ensure that the same fair and impartial hiring and employment standards which currently govern the hiring of all civil servants will apply to those who will be seeking positions as land

registrars under this province's land registration system. Until now, these positions have been filled through appointments by order in council of the government of the day.

Once again, the amendments are proof of this government's commitment to open and impartial hiring practices based on the applicant's qualifications and seniority.

At the appropriate time I will be introducing an amendment to Bill 121 which calls for the sections of Bill 121 and Bill 122 referring to hours of operation in land registry offices and land titles offices to be consistent.

Mr. Swart: I rather hoped we would get through these two bills today, and I suppose that is the hope of most people here, but it may not be possible. I will be very brief.

This bill provides two things, as I understand it: (1), it recognizes administrative changes, some of which are already in place and others that it would be desirable to make; (2), it provides less opportunity for political patronage appointments under the Registry Act and the Land Titles Act. I have no proposed amendments to this. My party will support the bill.

Mr. Runciman: In terms of the employment proposals included in the bill, the comments I made with respect to Bill 119 apply to this as well. I want to compliment the minister and the staff on the proposal in section 5 of the bill to do away with the requirement that lawyers serve as directors of land registration. There are a number of areas within government at large where the requirements with respect to this profession are, in my view, not necessary. I think it is a good move and perhaps something that should be looked at on a much broader scale within the provincial government.

Motion agreed to.

Bill ordered for third reading.

REGISTRY AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 122, An Act to amend the Registry Act.

Hon. Mr. Kwinter: The comments I made about Bill 121 pertain to this one, with the exception that I will be introducing an amendment.

Mr. Swart: In general, the comments I made on Bill 121 apply to this bill as well. The only place I have any concerns is with section 7. I have two concerns there.

Both my concerns are with regard to the right of entry. The first is clause 73a(2)(a), "at any time enter and pass over the land of any person,"

which gives the right incidentally to anyone the registrar may appoint to enter and pass over the land of any person at any time, and (b), "at a time suitable to the occupant of a building enter the building."

My concern with clause 73a(2)(a) is that it gives a further right for government officials to go on private property without even notifying people that they are going on their property. During my many years in municipal government, I had numerous complaints from individuals, particularly farmers: "Somebody came on my property and drove stakes in the ground. They did not come to tell me what it was about." They are out there surveying, people go out and ask them questions and they do not even answer the questions about what they are surveying for. It is pretty disrespectful to private property. I am therefore going to move an amendment to that section when we go into committee of the whole.

I will leave clause 73a(2)(b) with the minister. In contrast to clause (a), it seems to me this clause could prohibit the right of an official under the Registry Act ever to get into that building. It says he may "at any time suitable to the occupant of a building enter the building." If there is no suitable time, I suspect that official would never get into that building, and he might have a need to get into the building in the course of the responsibilities of the registry office. I am not moving any amendment to that; I just wanted to leave that thought with the minister.

Apart from these two clauses, I am supportive of the bill.

Motion agreed to.

Bill ordered for committee of the whole House.

17:50

House in committee of the whole.

REGISTRY AMENDMENT ACT

Consideration of Bill 122, An Act to amend the Registry Act.

Sections 1 to 6, inclusive, agreed to.

On section 7:

The Deputy Chairman: Mr. Swart moves that clause 73a(2)(a) of the act, as set out in section 7 of the bill, be amended by striking out "at any time" in the first line and inserting in lieu thereof "upon notice to the owner and occupant."

Mr. Swart: I will make some very brief comments. The clause would then read, "upon notice to the owner and occupant enter and pass over the land of any person." We have to read that in conjunction with subsection 73a(2):

"Any person referred to in subsection (1), while in the exercise of the powers conferred by subsection (1), may, (a) upon notice to the owner and occupant enter and pass over the land of any person...."

It is perfectly clear what we are trying to do and I hope the minister will consider it a friendly amendment. I am very much aware that land surveyors under their authority can go on land at any time without any notification. As I stated, I disagree with that authority. It seems to me there needs to be some attempt made on the part of that person who is going on the land to notify the owner or occupant that he is going on the land and explain the purpose of his being there.

The amendment I have moved is not as restrictive as it could have been. I deliberately moved it in this manner with the hope that the members of this Legislature will accept that amendment. It provides the clear principle that the owner and occupier—"occupier" is necessary because a farmer may be renting land and have crops there; he has custody of that land for a period of time—should know if somebody is going to come on that land and for what purpose.

As I say, I am hoping the minister will accept this amendment. At some point down the road when we discuss the Surveyors Act, if that is the act under which they operate, I am sure we can make that amendment there as well. I notice it does not provide any fine. It simply refers to notice to the owner and occupant. It does not even state how they have to be notified—perhaps it should, but I intentionally left it rather vague hoping it would be accepted.

Hon. Mr. Kwinter: The section the member for Welland-Thorold refers to is identical, as he stated, to the provisions under the Surveyors Act, subsection 6(1), which says, "A surveyor or a person in his employ, while making a survey may at any time enter and pass over the land of any person or at any time suitable to the occupant of the building enter the building." The wording is identical.

Under the provisions of the Surveyors Act, one does not even have to be a surveyor; it can be a person in his employ. The provision is there now and what we are suggesting is that this aspect of the bill would coincide with that, because otherwise one would be in conflict. We would have one act that says one could not do it and another act saying one could.

It is done for the purpose of authorizing a person who is not a land surveyor to enter on private property to check the dimensions, to make sure that if there is going to be a registration

of a condominium or whatever, that can be done. I take the member's intent as a friendly amendment. There is no question about that; I understand where he comes from.

However, I should say the proposed clause 73a(2)(b) says, "at a time suitable to the occupant...." It is not as though one can go any time he wants to. It allows him to go, but it has to be at a time suitable to the occupant. It is in keeping with the Surveyors Act, which has that provision. It is for more than just surveyors; it is for surveyors and people in their employ. In order to be consistent, we should keep the provision as it is. For that reason, I am opposed to amending it.

Mr. Sterling: Does this specifically refer to the powers of the examiner of surveys? Does this deal with looking for survey bars after a reference plan has been done in the country, for instance?

Hon. Mr. Kwinter: Yes, it does.

Mr. Sterling: I think the member for Welland-Thorold (Mr. Swart) probably does not agree with the present Surveyors Act under which the surveyor has a licence or the right of trespass. As I interpret his words, he does not think the examiner of surveys should have that right of trespass either, which effectively is what this act says.

Perhaps the minister can work out some appropriate words. The only part of the amendment I have trouble with concerns giving the proper notification to people; what is reasonable notice to these various people in the circumstances? I would be more amenable to an amendment that offered reasonable notification to the occupant or owner if he were readily available, or something of that nature. There should be some reasonable attempt at notice; I agree with the member for Welland-Thorold. I think most surveyors and, I imagine, the examiner of surveys would give that notice in most cases. Perhaps there should be some consideration of a reasonable attempt at notice.

Hon. Mr. Kwinter: I think that is implied in clause 73a(2)(b) where it says, "at any time suitable to the occupant." In order to determine whether it is suitable to the occupant, you have to give notice. If he says it is not suitable for one to come at a particular time, one does not have access. There is a provision that allows this employee to enter, but there is a safeguard that it has to be suitable to the occupant. In order to determine that, one has to do what they do.

Mr. Swart: I am sorry, but I must disagree totally with the interpretation of the minister and

ask him to take another look at it. I suggest this bill provides that these people may enter on to land at any time. They do not have to notify anybody and it does not have to be suitable to the occupant at all. It is only when they go into a building that it has to be suitable to the occupant.

Let the minister take a second look at it as I read it.

“(2) Any person referred to in subsection (1), while in the exercise of the powers conferred by subsection (1), may, (a) at any time enter and pass over the land of any person; or (b) at a time suitable to the occupant of a building enter the building....”

To go on to the land, it does not have to be suitable to anybody. These people have an absolute right.

On the remarks made by the member for Carleton-Grenville (Mr. Sterling): I have left this, as I said, deliberately rather vague. It simply says, “upon notice to the owner and occupant.” It could be given at the time. I am suggesting giving

notice to the owner and occupant by any method even if it is only by leaving a note, instead of having the absolute right to go—

The Deputy Chairman: Order. Is it the wish of the committee that we pursue this bill and finish it today?

All those in favour of Mr. Swart's amendment will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Sections 7 and 8 agreed to.

Mr. Breaugh: On a point of order, Mr. Chairman: I think you had better look at the clock.

On motion by Hon. Mr. Kwinter, the committee of the whole House reported progress.

The House adjourned at 6:01 p.m.

APPENDIX

LOI DE 1986 SUR LES SERVICES EN FRANÇAIS
FRENCH LANGUAGE SERVICES ACT

Translation of remarks on third reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

Traduction des remarques lors de la troisième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

The translation of remarks on second reading have been inserted as an appendix following Hansard No. 45, for Wednesday, July 9, 1986, Second Session, 33rd Parliament.

La traduction des remarques lors de la deuxième lecture a été insérée comme appendice dans le Hansard numéro 45 du mercredi 9 juillet 1986, deuxième session, 33e Parlement.

Hon. Mr. Grandmaître moved third reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

L'hon. M. Grandmaître propose la troisième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

L'hon. M. Nixon: Je pense que l'honorable ministre et une ou deux autres personnes aimeraient dire quelques mots en cette occasion importante, et nous devrions peut-être donner la parole au ministre d'abord.

Si le ministre ne désire pas entamer le débat, il pourra bien sûr le conclure, et les membres de l'opposition qui se sont préparés à parler voudront bien avoir l'obligeance de se lever et de commencer.

15:30

Mr. Shymko: Mr. Speaker, as you know, we support Bill 8. We are proud of the fact that this law is finally becoming a reality. Thanks to the recommendations and amendments from this side of the House, the municipal level has been included in the sectors required to offer French-language services.

I just would like to indicate that there is a delegation of representatives from the universities in the House today.

Regional disparity currently exists regarding the access of young Franco-Ontarians to the universities. We are well aware that while debating the bill on second reading, we attempted to stress the issues of education and access to

the universities and the means of opening their doors to young francophones.

We are well aware that only the University of Ottawa has a faculty of medicine which gives instruction in the French language. Only at the University of Ottawa does a similar situation exist in the faculty of law. Only at the University of Ottawa may courses be taken to become a medical technician.

We are well aware that the criteria for admission to the University of Ottawa are regional; the priority given is a regional priority. The doors are closed to young Franco-Ontarians from northern Ontario, as well as those from regions outside the capital, Ottawa, and its surrounding areas.

It is only by some miracle that a young student from Timmins, Kapuskasing or North Bay can be admitted to any course at the University of Ottawa school of medicine or law.

And this disparity disturbs us. I am proud of the fact that the Minister of Education (Mr. Conway) is present today for the third reading of this bill.

I would like to see this regional preference, this discrimination, eliminated by every possible means.

Let us hope that the work of this commission over the next three years will result in recommendations to the government, the Minister of Colleges and Universities (Mr. Sorbara), as well as to the Minister of Education, for the elimination of these obstacles to our young students entering the universities.

As I stated earlier, I congratulate the government on the fact that there is, at long last, an act. I congratulate the government on the fact that the municipalities have been included among the organizations required to offer services in the French language. We tried to have an amendment passed which would have allowed the commission to present its report after two years instead of three; unfortunately, it was rejected. That's life; you can't win 'em all. Thus, let us hope that this act is going to eliminate the injustice which for many years was a reality in this province.

Mr. Pouliot: We, the francophones of Ontario, are pleased; but, let me add, Mr. Speaker, not only for Ontario francophones but also for those in the neighbouring provinces such as Manitoba

and Quebec and the other territories which are part of our big, beautiful country.

This is a historic day, with a symbolic document. Ontario francophones have been waiting a long time for justice to be done. Of course, we could have been told today that the entrenchment of our rights was a "fait accompli"; that the rights of the francophone minority in Ontario were guaranteed in the Constitution. The government did not choose to do so, either then or now.

Even so, in the spirit of solidarity which characterized the debates—I am speaking here, of course, of the long-awaited act which will be passed in several minutes, let us hope unanimously—it could be said that today marks the beginning of a new era, the beginning of the hope that tomorrow, next year, in future years, regular services will be offered to francophones. Perhaps one day, if this philosophy is adhered to, we as francophones will have the services which not only anglophones but others daily take for granted.

For 400 years—and I do not intend to take the few minutes I have to remind the members of what happened in the days of Cartier, Champlain and Maisonneuve—but it should be said that we are a founding people, that we have waited and have known how, with help, to put our ideas and aspirations down on paper.

This is a day of victory. If I may be allowed to say so, I see my good friend the member for High Park-Swansea (Mr. Shymko), who also struggled along with us. Naturally, there are others; my friends from the Liberal Party joined with the Conservatives and ourselves.

Thus, thanks go to a number of people. We thank the Association canadienne française de l'Ontario, and Mr. Plouffe for his visits. If we mention Mr. Plouffe and his efforts as the president of ACFO, the efforts of Catherine Lengyel should also be noted. These people who supported us, who showed us how to ensure that justice was done and encouraged us in our pursuit of it.

Thus, I will wind up my remarks by saying that certainly we would have liked to do more, but we should not forget the efforts of the Liberal government, supported, of course, by the efforts of the New Democratic Party, building on the legacy of Premier Davis's government.

Thus, to the House, my colleagues on the other side and those on the right, we say thank you, as a group and as individuals. But the most important thing is the dawning of a new day where the francophone community here in Ontario be-

comes a living entity. Today I am proud to be here and to say that I feel at home in the Premier's (Mr. Peterson) House.

Mr. Morin: Describing the passing of the French Language Services Act as a historic moment is truly an understatement. Since the beginning of Confederation, Franco-Ontarians have very patiently waited for this moment. Thus, I am extremely proud, as a Liberal, to be a member of the government which presented this act. I am also extremely proud, as its vice-chairman, to have had the privilege of chairing the plenary committee of the Legislative Assembly when it studied Bill 8, section by section, an examination which took place almost solely in French. That too is of historic importance.

15:40

The chairmanship also allowed me to fully appreciate the spirit of co-operation demonstrated by the pressure groups, such as the Association canadienne française de l'Ontario, as well as by the members of the three parties. I would like to emphasize, in particular, the contribution of the members for Oshawa (Mr. Breagh), Ottawa East (Mr. Grandmaître), Cornwall (Mr. Guindon), Prescott-Russell (Mr. Poirier), Lake Nipigon (Mr. Pouliot), York South (Mr. Rae), High Park-Swansea and Stormont, Dundas and Glengarry (Mr. Villeneuve). The remarkable co-operation and nonpartisan support shown by all these members in favour of bilingual government services is an admirable example to other Canadian provinces which do not yet guarantee that right to their francophone population.

However, I am not under any illusions. Bill 8 is only a beginning. There is a lot left to accomplish, notably a clear and precise explanation informing the public about the provisions of the act. Everyone must understand that the act poses no threat to anyone but, on the contrary, is an indication of progress, a giant step forward.

Lastly, we should congratulate ourselves on our good work for the cause of French-language services.

Mr. Villeneuve: I also am pleased to give my approval to Bill 8, recently discussed in the House entirely in French. That was certainly a very special day for the Legislature of the province of Ontario. I am sorry that it will take three years to bring this bill into law. We are probably talking about 1990—hopefully, a little bit earlier—but 1990 is the target date.

Bill 8 is certainly going to open doors for our French-speaking Ontarians. I support Bill 8, with reservations. I know that some people have come

today from Prescott-Russell to approach the Minister of Education—whom I see in the House this afternoon—regarding Bill 75 which allows us to be our own masters, except in Prescott-Russell.

I strongly suggest to the Minister of Education that he take another look at his bill. Perhaps the Prescott-Russell region, with its 75 per cent of French-speaking Ontarians, should be catered to more than is currently the case.

It is also ironic that we have students of Penetanguishene High School in the House this afternoon. Some strange things have been happening since Judge Sirois rendered his decision. It would seem, and I am happy that the Premier of Ontario is present this afternoon, that the government of Ontario is in the process of challenging Judge Sirois' decision.

In other words, the government of Ontario is giving us something which, I hope, is not only symbolic as my colleague on the left mentioned, but which will take root. But the issue of Judge Sirois' decision, which the government of Ontario is currently appealing, troubles me. It troubles me a great deal, because if Judge Sirois' decision were reversed, our French-speaking Ontarians in the Penetanguishene region would become second-class citizens. This is not the way to proceed, especially on the day we are presenting Bill 8, which is supposed to give us equality.

Thus, these are the things which trouble me and I am certainly happy to see that the Premier and the Minister of Education are in the House this afternoon. I would like to know their reactions to these issues.

Mr. Poirier: While waiting for more New Democrat francophone members, we will take the floor.

As the member for Prescott-Russell, as a Franco-Ontarian, and as the chairman of the Ontario section of the International Association of French-Speaking Parliamentarians, it is my pleasure to introduce myself to the House and to support the third reading of Bill 8, guaranteeing French-language services to the francophone population of Ontario.

In earlier speeches, we spoke about all the expectations held by Franco-Ontarians over the years. I remember, while reading Paul-François Sylvestre's book, *Nos Parlementaires*, that it was obvious that since Ontario's earliest days, Franco-Ontarians worked unremittingly to try to obtain from their government the recognition of their right to French-language services.

As well, as a Liberal member, a member of the Peterson government, I had the honour of fully participating with and supporting my colleague, the minister responsible for francophone affairs (Mr. Grandmaître), from the very beginning so that the Liberal Peterson Government might be the first to mark such a milestone in the advancement of the Franco-Ontarian cause.

We have also stressed that it is the first step of many yet to be taken towards official recognition of the French language in Ontario. Recently, we have had several meetings with French-speaking parliamentarians who came to Toronto for the official installation of the AIPLF on September 5. I can say that these good people were extremely impressed by the support given by this government to the development of the French language and culture in Ontario. I am certain that we will do even more. We will develop a reliable and efficient system. If necessary, this will take three years, but we will be proud of the system we do put in place.

We are also proud of the support we have received from the francophone population. Obviously these services and this act are long overdue. But patience is always rewarded.

Shortly after the Liberal government took office, Bill 8 came into being with the support of such organizations as ACFO, l'Association des enseignants franco-ontariens and others—the vast majority, if not all, of the French-language organizations. I am sure Franco-Ontarians will be very proud to use the system we set up. I am sure that, with Bill 8 as a first step, the future of francophones in Ontario has never been so assured.

Mr. Harris: I am happy, on behalf of the francophones from Nipissing and all of Ontario, to support Bill 8.

Hon. Mr. Grandmaître: The Legislative Assembly of Ontario is on the brink of making a historic gesture, thanks to which the francophone population of Ontario can now start a process of evolution and transformation.

The passing of Bill 8 will create a new ambience in our province because this act will be a real developmental tool which will allow us to pursue our fulfilment as francophones in Ontario.

15:50

This act was conceived as a lever to promote francophone participation in decision-making by the authorities regarding their concerns. I sincerely feel that through francophone participation in the institutions, these will better reflect francophone aspirations.

In my opinion, the francophones of this province have reached such a collective maturity that they may henceforth view their future less in terms of combat and more and more in terms of legitimacy.

The influence of francophone elements within Ontario institutions will permit change in the social climate. The new government policy, as defined by Bill 8, should permit Ontario society to work out a long-term pattern of social development based on mutual respect and understanding.

I would like to take this opportunity to thank ACFO, the Franco-Ontarian Education Council, the Council of Franco-Ontarian Affairs and all the organizations who shared our suffering for so many years—if I can call it suffering. Today we can rejoice over Bill 8.

What has Ontario just done today? We have just deployed a cultural satellite. The message it will transmit is a very simple one. Today the province of Ontario recognizes our country's two founding cultures, a most important event.

In addition, our gesture today reveals very clearly the willingness not only of the government but of the parliament of Ontario. We want our future generations to have a cultural heritage. Henceforth, the people of Ontario, the francophones of Ontario, can be proud of the fact that they live and will continue to live not only in a province that is economically strong, but in a province with two cultures, offering all kinds of possibilities.

I thank the chief of the third party, the member for York South, who has always supported me, and I would like to thank my Premier, who has always backed me up. Thank you very much to all those who took part in the debates. I believe we are all rejoicing today in this great victory.

Mr. Guindon: Mr. Speaker, allow me to tell you how proud I am to see that Bill 8 is finally a reality. The passing of this act confirms the recognition by the government of this important group, Franco-Ontarians, by birth or adoption.

More than half a million Francophones will henceforth be able to take advantage of, or at least start to hope to take advantage of, services in their own language. The act passed today represents in a way the natural outcome of measures progressively set up under Premiers Robarts, Davis and Miller.

This act guarantees that what has been won will not be lost and assures us of the setting up of additional services in the years to come, as technical, financial and human resources permit.

In three years, Ontario should have a very respectable level of bilingualism if the commission responsible for this succeeds in meeting its terms of reference and schedules. I am personally pleased at the fact that the original bill was amended to include the municipalities, because this is the level of government closest to the people and the one dispensing the greatest number of direct services to taxpayers.

Finally, I am reassured to see that cabinet powers are limited. If the cabinet had retained too much discretionary power, the act would have lost all its value, since there would have been too much room for exceptions from either the geographical point of view or in the jurisdictional areas concerned.

But mixed in with this natural pride that I feel as a francophone, this enthusiasm that I feel in the name of my French-language compatriots from the north, south, east and west of our province, is a desire to see things move ahead. This act must be more than a piece of paper; this act must change things in this province with respect to the quantity and quality of French-language services. The commission must get started as soon as possible, so that we can have some concrete results before its mandate expires in three years.

And if I may be permitted, Mr. Speaker, there is a recent problem which must be rectified regarding services for francophones which, in my opinion, are deteriorating. We are not prepared to wait three years and then be told that nothing has changed. We of the Progressive Conservative Party would have liked the commission's mandate to be two years; however, since I have been told this is not possible, we are going to watch very closely to make sure that things are moving along quickly and positively.

Yes, this November 18, 1986, marks an extremely memorable day in the history of the Legislature of Ontario and in the evolution of Franco-Ontarians towards full recognition of their rights. I am happy to see it and I wish to take this opportunity to thank all those who, over the years, through their unflagging efforts and combative spirit, paved the way for this important victory.

I rejoice with all the old people who may possibly receive French-language services in nursing homes and hospitals and who will finally be able to have frank and open conversations with their doctors and nurses.

I rejoice with all those receiving welfare benefits and other government services who can ask questions and get the answers in French.

I rejoice with all the Franco-Ontarian students who are currently studying in French and who have the right to hope to be able one day to work in French.

Yes, on this fine November 18, 1986, our hopes are boundless and I can assure you, Mr. Speaker, that I will see to it that they are realized in the time limits set out by the act and, if possible, earlier.

M. Rae: J'aimerais commencer par parler en anglais, parce qu'il est important que ceux qui pourraient avoir des difficultés à comprendre le français—et je ne m'adresse pas uniquement aux membres de l'Assemblée, mais aussi à tous les Ontariens—soient eux aussi fiers de ce que nous avons accompli en ce jour.

Je suis né à Ottawa. Comme je l'ai mentionné lorsque nous discutons du projet de loi en seconde lecture, si on regarde 30 ans en arrière, on constate que la province a fait énormément de chemin pour parvenir finalement à accepter son identité et les besoins ainsi que les droits de la communauté francophone qui a élu domicile en Ontario depuis plusieurs siècles.

Même quand j'étais tout jeune, je savais que le français était en quelque sorte une langue secrète en Ontario. C'était la langue de la rue et la langue que les gens parlaient chez eux. Ce n'était pas la langue des affaires ni la langue du commerce. Ce n'était pas la langue de la politique et, dans bien des cas, ce n'était pas la langue de l'éducation.

Cette discrimination est une situation dont nous n'avons pas à être fiers et je me réjouis énormément de dire que cela a changé. Soulignons que le ministre qui a déposé ce projet de loi est l'ancien maire de la ville de Vanier, qui, lorsque j'étais enfant, portait le nom d'Eastview. La ville d'Eastview était sans doute l'exemple parfait de ce que je suis en train de décrire. Le français était la langue de la rue, le français était la langue de la famille, mais le français n'était pas une langue que l'on vous encourageait à parler dans la région d'Ottawa.

16:00

Je me souviens quand j'ai commencé à travailler à Ottawa. J'étais guide dans les édifices du Parlement. C'était il y a 20 ans. Si l'on voulait faire une visite guidée en français, il fallait faire une demande spéciale. Si l'on voulait une visite en anglais, c'était automatique, mais si on voulait la faire en français il fallait en faire la demande. Cela a changé. Beaucoup de choses ont changé. Beaucoup de choses ont changé au niveau fédéral à la suite des initiatives qui ont été prises; mais laissez-moi vous dire que lorsque je suis arrivé ici en tant que député après avoir été à

Ottawa, j'ai été frappé—je dirais même choqué—de voir à quel point le français n'était pas généralement considéré comme une langue que l'on pouvait parler facilement, même à l'Assemblée législative, je me permettrais de dire.

A vrai dire, parler français à l'assemblée et poser une question en français était considéré presque comme un défi à l'ordre politique du jour. Je me rappelle mes conversations avec le Premier ministre de l'époque lorsque j'étais nouveau membre et nouveau leader de notre parti, pour essayer d'obtenir que l'Ontario fasse ce pas qui, j'en suis toujours convaincu, serait d'une grande importance pour notre vie nationale. Ce pas consistait à faire de l'Ontario une province où le français serait enchâssé dans la Constitution du Canada et où le français serait reconnu comme une langue officielle dans notre province.

Je veux déclarer officiellement aujourd'hui encore au Premier ministre, qui assiste à ce débat historique, que mon parti et moi-même sommes d'avis que l'Ontario peut contribuer énormément à l'unité nationale en allant encore plus loin que là où nous sommes parvenus aujourd'hui, et cela en reconnaissant le français comme une langue officielle dans notre province, et en garantissant ces droits dans la Constitution.

Nous ne forçons personne à apprendre le français. Nous ne suggérons pas que ceux qui ne peuvent pas parler français aient moins de droits que ceux qui le peuvent. Ce que nous proposons c'est que ceux dont la langue maternelle est le français puissent se sentir vraiment chez eux en Ontario. Ils devraient sentir qu'ils sont chez eux en Ontario, qu'ils peuvent y parler leur langue, qu'ils peuvent être tout à fait eux-mêmes, non pas simplement lorsqu'ils sont dans leur salon ou leur salle à manger, mais au travail, dans leur école et dans leurs rapports avec le gouvernement.

We have taken an important step. It is not, perhaps, the final step; that is going to take a little more time and effort by all those among us who think that it is time to entrench these rights in the Constitution. And they say that it is just one step.

I would like to say, on behalf of my party, that we are proud of the progress that we have made. We are proud of the fact that finally we are going to take concrete steps, not only to guarantee a symbolic right but to accomplish real and significant things with respect to everyday services—French-language services for older people, French-language services for children and French-language services for all organizations providing social services; for those who do

business with the government, their right to do so in French, the right to receive services in French.

These are important measures and I take some pride in the fact that, thanks to two of our amendments, one regarding the municipalities and one regarding the rights of individuals dealing with a government which could make decisions based more on convenience than necessity, we are going to guarantee these people a right to challenge the government before the courts and to try to convince the government to do more.

Thus, we have not yet reached the end; we have not yet arrived at our final destination. However, we have made progress. I must tell all members that I am prouder today than ever to be a citizen of Ontario. I believe I speak for all members when I say that yes, we can take a certain pride in what we have done and, as I said earlier, I feel even prouder of today's great accomplishment. We have arrived at a new provincial consensus which represents a victory for francophones, who will now feel more at home than before. In addition, this is a more civilized, more sensitive, more generous province, a province of which we can all be even prouder today.

Hon. Mr. Peterson: As some members have said, this is a historic occasion for this Legislature. I wish to thank all my colleagues in all of the parties and all my colleagues in the galleries who helped us in the preparation of this bill, with special thanks to my colleagues in the Legislature.

A different atmosphere exists today. There is a new spirit of charity and I think all the parties have changed attitudes. We have seen something good today.

As we know, it was my colleague Albert Roy who always spoke about francophone rights in this Legislature. For the past five or six years I believe, his ideas have been used in the drafting of this bill.

We have had previous debates in a different parliament. I took part in such a debate at that time and it was one of the best debates I ever had in this Legislature. But as we all know, the situation was different then. It is interesting to remember that all the parties and all the members in the Legislature supported the bill in question, but it was the opinion of the Premier at the time that it was not appropriate to follow through with it under the circumstances.

Once again I wish to thank all of my colleagues for the work they put in on this bill and for the progress that we have made together.

Comme le disait mon ami le chef du nouveau Parti démocratique, c'est un grand jour pour les francophones, c'est un grand jour pour tous les Ontariens et c'est un grand jour pour le Canada.

I wish to read the telegram from d'Iberville Fortier, commissioner of official languages, which reads:

"I regret that a visit to Kapuskasing prevents my being present to witness the passing of Bill 8, which marks a turning point in the recognition of Franco-Ontarian rights."

Je voudrais traduire ceci parce que je pense qu'il est extrêmement important, comme le remarquait mon ami le chef du nouveau Parti démocratique, de dire les mêmes choses en anglais et en français.

This is a historic occasion, on which one thing should not be said in French and another in English.

M. Fortier me disait dans son télégramme: "Retenu à Kapuskasing, je regrette de ne pouvoir être présent à l'Assemblée législative à l'occasion de l'adoption de la Loi 8 qui marque un tournant historique dans la reconnaissance des droits des Franco-Ontariens."

Et il poursuit:

"My heartiest congratulations to its champion, Mr. Bernard Grandmaître, the minister of francophone affairs, the parties and all the parliamentarians of Ontario. The province has made a major contribution to the Canadian goal of national reconciliation."

Il dit: "Je félicite vivement son pilote, le ministre Bernard Grandmaître, les partis et tous les parlementaires ontariens. L'Ontario apporte ainsi une magnifique contribution au projet canadien de réconciliation nationale."

It is as I said: There is a different atmosphere in the Legislature. I believe there is a different atmosphere in the country today. As we know, relations between Ontario and Québec are different now and this is not only the case between Québec and Ontario, but between Québec and all the other provinces.

16:10

Tomorrow I am going to discuss with my colleagues and the other Premiers, the possibility of bringing changes to the Canadian Constitution because we wish to invite Québec to be part of the Constitution. I am optimistic; it is my feeling that we can get good results.

But the Quebecers are watching very closely what we are doing here, what is going on in this Legislature, the votes of the members in the Legislature. We now have debates in French. As my friend has said, this is neither unique nor

special; it is part of the daily question period and it is a good thing.

I remember the first time the three party Leaders discussed an issue in French in this Legislature. It was the member for York South who asked a question of the former Premier, the member for Muskoka (Mr. F. S. Miller), who responded in French, and I participated as Leader of the Opposition.

That too was a historic occasion. Now I am not surprised that the majority of today's debate took place in French. I do not know, but there are perhaps 20 members in the Legislature who speak French and who feel comfortable in the other language and culture. I hope that one day, all the people of Ontario will live this reality—myself, my children, the children of all the members here and all the children in Ontario.

C'est un grand jour. Les historiens parlementaires, les gens qui étudient ces questions, me disent que c'est le plus grand bond en avant des 120 dernières années en ce qui concerne les francophones de l'Ontario. Je suis ravi d'y participer. J'apprécie énormément l'appui et l'aide de mes collègues. Il nous reste beaucoup à faire, mais maintenant nous mettons en pratique ce que nous voulons garantir, de vrais droits, non seulement des droits par écrit, non seulement des paroles, mais la possibilité réelle donnée aux Franco-Ontariens de vivre et de travailler dans leur langue.

I would like to thank all my colleagues for this great day and for their help regarding this bill. It is important now that we use all the determination and energy necessary to ensure the successful implementation of this act. Many things remain to be done; we must have the co-operation of all government agencies, the ministers and ministries.

There is much yet to do, but after today, it will be law in the province. It is the first step and an extremely important one. To my Progressive Conservative and New Democratic colleagues, thank you for this historic day.

Mr. Shymko: Mr. Speaker, several of the MPPs who are absent understand absolutely no French. In recognition of the historic nature of this bill, would it be possible to make an exception in the procedure that we normally follow?

Normally, there would be no English translation of remarks in French made during this debate. These remarks were made exclusively by the members who participated in the debates during the second and third readings. Could we get the debates at the time of the second and third readings translated into English for the anglophone citizens of the province and for the members who do not understand French and who, being absent, did not have the opportunity to hear the simultaneous translation?

I wonder if, with the unanimous agreement of the leaders of the three parties, in recognition of the historic nature of this moment, we could obtain for the Hansard files an English translation of the remarks made in French during the debates regarding this bill.

L'hon. M. Nixon: Sur un point d'ordre, M. le Président, je suis sûr que nous consentirons à l'unanimité à fournir les traductions voulues de cet événement historique.

The Acting Speaker (Mr. Morin): Is that a motion or a recommendation?

Mr. Shymko: It is a motion.

The Acting Speaker: Is the motion carried? L'Assemblée désire-t-elle adopter la motion?

Motion agreed to.

The Acting Speaker: Hon. Mr. Grandmaître has moved third reading of Bill 8, An Act to provide for French Language Services by the Government of Ontario.

L'hon. M. Grandmaître a proposé la troisième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

Motion agreed to.

La motion est adoptée.

L'hon. M. Nixon: Son Excellence le Lieutenant-Gouverneur a gracieusement accepté de venir à la Chambre pour la sanction royale.

L'hon. M. Peterson: Je sais que ce n'est pas conforme à la procédure parlementaire, mais je me permets aussi de faire remarquer que c'est un fait historique d'avoir en Chambre un président et un greffier francophones.

I would like to add that the Chairman and Clerk of the House are both francophones. This is a historic occasion.

CONTENTS

Tuesday, November 18, 1986

Members' statements

Low-alcohol products, Mr. Gordon	3381
Occupational health and safety, Mr. Martel	3381
Alzheimer's patients, Mr. Andrewes	3381
Auto pact, Mr. Breaugh	3381
Mississauga Citizens of the Year, Mr. Offer	3382
Highway safety, Mr. Hennessy	3382
Hospital funding, Mr. Warner	3382

Statements by the ministry and responses

Municipal government, Hon. Mr. Grandmaître, Mr. Gregory, Mr. Harris, Mr. Breaugh .	3383
Film industry, Hon. Ms. Munro, Mrs. Marland	3384
Alcohol on OPP boat, Hon. Mr. Keyes, Mr. Gillies	3384

Oral questions

Hydro planning, Mr. Grossman, Hon. Mr. Peterson	3387
Layoffs in Sudbury, Mr. Pope, Hon. Mr. Peterson	3388
Government's policy on South Africa, Mr. Rae, Hon. Mr. Peterson	3389
Layoffs in Sudbury, Mr. Laughren, Hon. Mr. Peterson, Mr. Martel	3389
Hydro accountability, Mr. Grossman, Hon. Mr. Peterson	3391
Municipal taxation, Mr. Rae, Hon. Mr. Nixon, Mr. Pouliot	3392
Alcohol on OPP boat, Mr. Sterling, Hon. Mr. Keyes	3392
Public utilities, Mr. Breaugh, Hon. Mr. Grandmaître	3393
Alcohol on OPP boat, Mr. Gillies, Hon. Mr. Keyes	3393
Automobile insurance, Mr. Swart, Hon. Mr. Kwinter	3393
Sale of lands, Mr. Partington, Hon. Mr. Grandmaître	3394
Tariffs on softwood lumber, Mr. Wildman, Hon. Mr. Nixon	3395
Property assessment, Mr. Gregory, Hon. Mr. Nixon	3395
Propane explosion, Mr. Rae, Hon. Mr. Kwinter	3396
Provincial symbol, Mr. Rowe, Hon. Mr. Nixon	3396
Day care, Ms. Gigantes, Hon. Mr. Sweeney	3397

Petitions

Sunday racing, Ms. Bryden, tabled	3397
Minimum wage, Mr. Morin-Strom, tabled	3398
Use of 2,4-D, Mr. Wildman, tabled	3398

Motions

Referral of bills, Hon. Mr. Nixon, agreed to	3398
Private members' public business, Hon. Mr. Nixon, agreed to	3398

First readings

Town of Lindsay Act, Bill Pr20, Mr. G. I. Miller, agreed to	3398
Occupational Health and Safety Amendment Act, Bill 149, Mr. Martel, agreed to	3398

Second readings

Town of Markham Act , Bill Pr23, Mr. Cousens, agreed to	3399
Institute of Certified Management Consultants of Ontario Act , Bill Pr24, Mr. McFadden, agreed to	3399
London Life Insurance Company Act , Bill Pr33, Mr. Offer, agreed to	3399
City of Scarborough Act , Bill Pr52, Mr. Polsinelli, Mr. Warner, Mr. R. F. Johnston, agreed to	3399

Third readings/Troisième lecture

Town of Markham Act , Bill Pr23, Mr. Cousens, agreed to	3399
Institute of Certified Management Consultants of Ontario Act , Bill Pr24, Mr. McFadden, agreed to	3399
London Life Insurance Company Act , Bill Pr33, Mr. Offer, agreed to	3399
City of Scarborough Act , Bill Pr52, Mr. Polsinelli, Mr. Warner, Mr. R. F. Johnston, agreed to	3400
Regional Municipalities Amendment Act , Bill 22, Hon. Mr. Grandmaître, agreed to . . .	3400
Line Fences Amendment Act , Bill 23, Hon. Mr. Grandmaître, agreed to	3400
District Municipality of Muskoka Amendment Act , Bill 25, Hon. Mr. Grandmaître, agreed to	3400
Powers of Attorney Amendment Act , Bill 72, Hon. Mr. Scott, agreed to	3400
Municipality of Metropolitan Toronto Amendment Act , Bill 123, Hon. Mr. Grandmaître, agreed to	3400
Employment Standards Amendment Act , Bill 128, Hon. Mr. Wrye, agreed to	3400
French Language Services Act , Bill 8, Hon. Mr. Grandmaître, Mr. Shymko, Mr. Pouliot, Mr. Morin, Mr. Villeneuve, Mr. Poirier, Mr. Guindon, Mr. Rae, Hon. Mr. Peterson, agreed to	3400
Loi de 1986 sur les services en français , loi 8, l'hon. M. Grandmaître, M. Shymko, M. Pouliot, M. Morin, M. Villeneuve, M. Poirier, M. Guindon, M. Rae, l'hon. M. Peterson, adoptée	3400

Royal assent

The Honourable the Lieutenant Governor	3408
--	------

Second reading

Municipality of Metropolitan Toronto Amendment Act , Bill 48, Hon. Mr. Grandmaître, Mr. Breaugh, agreed to	3408
---	------

Third reading

Municipality of Metropolitan Toronto Amendment Act , Bill 48, Hon. Mr. Grandmaître, Mr. Breaugh, agreed to	3410
---	------

Second reading

Business Corporations Amendment Act , Bill 66, Hon. Mr. Kwinter, Mr. Swart, agreed to	3410
--	------

Committee of the whole House

Business Corporations Amendment Act , Bill 66, Hon. Mr. Kwinter, Mr. Swart, reported	3412
---	------

Second readings

Liquor Control Amendment Act , Bill 119, Hon. Mr. Kwinter, Mr. Runciman, Mr. Swart, Ms. Bryden, agreed to	3417
Liquor Licence Amendment Act , Bill 120, Hon. Mr. Kwinter, Mr. Swart, Mr. Runciman, Ms. Bryden, agreed to	3418

Land Titles Amendment Act , Bill 121, Hon. Mr. Kwinter, Mr. Swart, Mr. Runciman, agreed to	3419
Registry Amendment Act , Bill 122, Hon. Mr. Kwinter, Mr. Swart, agreed to	3420

Committee of the whole House

Registry Amendment Act , Bill 122, Hon. Mr. Kwinter, Mr. Swart, Mr. Sterling, progress reported	3420
--	------

Other business

Answers to questions in Orders and Notices , Hon. Mr. Nixon, tabled	3359
Adjournment	3422

Appendix

Translation of debates on Bill 8, An Act to provide for French Language Services in the Government of Ontario/Traduction des débats portant sur le projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario	3423
---	------

SPEAKERS IN THIS ISSUE

Alexander, Hon. L. M., Lieutenant Governor Andrewes, P. W. (Lincoln PC)
 Baetz, R. C. (Ottawa West PC)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Davis, W. C. (Scarborough Centre PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Gregory, M. E. C. (Mississauga East PC)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Guindon, L. B. (Cornwall PC)
 Harris, M. D. (Nipissing PC)
 Hennessy, M. (Fort William PC)
 Johnston, R. F. (Scarborough West NDP)
 Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
 Laughren, F. (Nickel Belt NDP)
 Marland, M. (Mississauga South PC)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
 Morin-Strom, K. (Sault Ste. Marie NDP)
 Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
 Partington, P. (Brock PC)
 Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
 Poirier, J. (Prescott-Russell L)
 Pope, A. W. (Cochrane South PC)
 Pouliot, G. (Lake Nipigon NDP)
 Rae, R. K. (York South NDP)
 Rowe, W. E. (Simcoe Centre PC)
 Runciman, R. W. (Leeds PC)
 Scott, Hon. I. G., Attorney General (St. David L)
 Shymko, Y. R. (High Park-Swansea PC)
 Sterling, N. W. (Carleton-Grenville PC)
 Stevenson, K. R. (Durham-York PC)
 Swart, M. L. (Welland-Thorold NDP)
 Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
 Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
 Villeneuve, N. (Stormont, Dundas and Glengarry PC)
 Warner, D. W. (Scarborough-Ellesmere NDP)
 Wildman, B. (Algoma NDP)



No. 66

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, November 19, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers

Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, November 19, 1986

The House met at 1:30 p.m.

Prayers.

Mr. Harris: On a point of order, Mr. Speaker: I have talked many times about the lack of the ability of this government to have representation in the House. I see two ministers here and I do not recognize a quorum.

Mr. Speaker: No quorum is present—I am sorry; a quorum is present.

MEMBERS' STATEMENTS

PESTICIDES

Mr. Bernier: On Friday, the Minister of Natural Resources (Mr. Kerrio) spoke to the people of northwestern Ontario via CBQ radio in Thunder Bay about next year's forest spraying program. What he said was entirely incorrect. He said:

"We came back to the Legislature and we were given a sort of threat by the opposition party that if we did not agree just to spray with Bt there would not be a spraying program at all; so the fact of the matter is that in a minority situation we had to accept the will of the Legislature."

I would like to respond to that utterly false statement and to point out that the minister made no contact with either myself, as critic, or our party on this subject. In August, we emphatically wrote to the Northwestern Ontario Associated Chambers of Commerce that the official opposition "has never adopted a position of universal opposition to the limited use of approved chemical pesticides. The decision not to use chemical pesticides was not decided by the will of this Legislature."

The decision to use *bacillus thuringiensis* to the exclusion of any other type of chemical agent was a decision made solely by the minister himself without staff consultation. This type of policy decision is an administrative responsibility, and the minister does not seem to be able to shoulder that. Our party, the official opposition, has offered to participate in a special inquiry, an all-party committee or even a royal commission to assist in developing an objective policy in Ontario relating to pesticides and herbicides.

It is a sad day for Ontario when a minister of the crown blames the legislative process for his own lack of leadership.

ADULT EDUCATION

Mr. Allen: Adult continuing education in Ontario, having suffered two body blows in 1983 and 1984 at the hands of the then Minister of Education, the member for York Mills (Miss Stephenson), is in growing danger of suffering a major traumatic experience when the tax assessment transfers under Bill 30 take place on January 1 so that Bill 30 may become fully operative.

The essential problem is that 55 out of 71 public boards offer some form of adult continuing education, while 18 out of 50 separate boards do. As a result, many of the applicants for the basic adult-education credit courses in English as a second language, French as a second language and citizenship are Catholics taking them from public boards.

It is absolutely critical that the minister at this time issue some clear direction with regard to appropriate funding and relationships between the boards around this issue. In the first place, he must clarify the legal issue. In addition, he must assure full and open access to the programs in adult education that the ministry supports; he must provide funding in such a way that such open access is effective and meaningful, and he must allow some across-the-board purchasing of service and billing arrangements to make equitable the funding and support system available.

POLICE SERVICE

Mr. Villeneuve: I want to draw to the attention of the House the manpower shortage in the Long Sault detachment of the Ontario Provincial Police. Residents of Crysler and area must put up with OPP response times ranging from one hour to 24 hours. Hunters trespassing on private property are long gone by the time the OPP arrive, and during the summer months the OPP must patrol parks, major highways and other areas with little or no time left to patrol communities and respond to individual residents' problems. OPP cruisers are not on the road continuously because of court duty, sickness and other problems, resulting in too few officers being available.

There have been no complaints from the officers of the detachment. They are dedicated

professionals doing the best job they can with the available personnel. The concern is being raised by residents of Chrysler and area who petitioned the OPP to provide the service to which their tax dollars entitles them. This petition to the OPP was signed by 120 persons.

This is a clear failure on the part of the Solicitor General (Mr. Keyes) to meet the policing needs of the communities in eastern Ontario. It reflects very badly when the Solicitor General would sooner use OPP boats for booze cruises, sipping and sailing, instead of taking the time to meet legitimate community concerns.

PAY EQUITY LEGISLATION

Ms. Gigantes: Since February 11, the government has had a bill before this House which it has called the first step in the battle against pay discrimination, Bill 105. The standing committee on administration of justice began public hearings on the bill on September 23; on October 8, the hearings were completed. On October 20, the New Democrats and Conservatives tabled comprehensive amendments to meet our long-standing commitment that Bill 105 would provide equal pay for work of equal value for the full public sector.

At the government's request, the NDP and Conservative members of that committee agreed to delay clause-by-clause consideration of the bill until October 27 to allow the government to review our proposed amendments. From October 27 until today, through four weeks of justice committee sittings, the government has engaged in a filibuster of its legislation on equal pay. The Minister of Labour (Mr. Wrye) has led Liberal members in a concerted effort to block the work of the committee. They have used procedural argument, irrelevant argument, recesses and stalls of every kind to bring committee work to a standstill.

The government is playing shameful games on the issue of equal pay for work of equal value. If the Liberals do not want an amended Bill 105, they should have the guts to withdraw it and table a bill to provide pay protection for all women who work in Ontario. Their current tactics are a disgrace and an insult to the women of this province.

MICROELECTRONICS CENTRE

Mr. Mitchell: Many of us in this Legislature had the opportunity this morning to meet with the board of directors of the Ontario Centre for Microelectronics and to learn at first hand how successful this facility is. It is one of the great

successes in the Board of Industrial Leadership and Development program put into operation by our leader when he was Minister of Industry and Trade.

It is a tremendous success, yet in talking to the people from the microelectronics centre we find that they may be in danger of faltering. Why are they faltering? As I understand it, it is because under the direction given by the present government, they have been told not to appoint a new chief administrative officer for that great facility.

I am a little concerned about that. The centre cannot continue in this way. The government should immediately acknowledge the success of this facility and appoint a new chairman and not have a committee operating the centre, as is currently happening. I do not believe this needs reiterating, but I am going to say it again: This is a success; let not the government make it failure.

UNEMPLOYMENT IN NORTHERN ONTARIO

Mr. Morin-Strom: I would like to bring to the attention of the government an issue that is of continuing concern in Sault Ste. Marie. I refer to the escalating rate of unemployment in our community and the fact that we have had very little in terms of tangible initiatives from this government to assist Sault Ste. Marie in its economic turmoil.

Last summer, the major initiative announced by this government was the moving of 360 jobs from three ministries to northern Ontario. However, those jobs cannot move until the space is available in a facility in Sault Ste. Marie that can accommodate those positions. To this point, nearly six months after the announcement, we have not seen any action with respect to selecting a site for that facility or going to tender for construction of the major office complex.

The office complex is potentially a very large and major capital expenditure in the community. According to projections, it is likely to be roughly twice as big as the largest office complex currently in the city. It is a major capital project that the community is very much looking forward to. We want to see action on this facility as soon as possible in order that the jobs that have been promised to Sault Ste. Marie will be put in place. We are all looking forward to more jobs and more diversification of employment in our community.

Mr. Speaker: I am not certain if there should be more time.

Mr. McClellan: Give us some anyway.

Mr. Speaker: No. That completes the allotted time for members' statements.

Mr. Harris: Mr. Speaker, how can you have six 90-second statements, totalling nine minutes, and not have any time left? I do not understand that, and I ask you to check with the table again to find out how 10 minutes can go by in nine minutes.

Mr. Speaker: I believe we went through this on a previous occasion—

Mr. Stevenson: It must be the new time bill that is causing the trouble.

Mr. Speaker: That new bill may help. I will discuss it—

Interjections.

Mr. Speaker: As a matter of fact, this may be the reason some of that time has expired. I am looking around generally.

13:44

STATEMENT BY THE MINISTRY AND RESPONSES

Mr. Speaker: The Minister of Transportation and Communications.

Mr. Gregory: On a point of order, Mr. Speaker: Traditionally, when a minister is about to give a statement, he sends a copy of the statement over to the critic. In his attempt to follow this tradition, the minister has sent it to me. I hope the statement contains more than the envelope, because I got an empty envelope.

Mr. Speaker: I have heard of brown envelopes going around before.

Mr. Stevenson: Are we paying \$55,000 for this sort of help?

Hon. Mr. Fulton: Thank goodness there was no stamp on it.

My apologies to the member for Mississauga East (Mr. Gregory). I know the contents are here somewhere. We will get them to him momentarily.

Mr. Gillies: We will be the judge of that.

Hon. Mr. Fulton: I do not want that member to be my judge.

TRUCKING INDUSTRY

Hon. Mr. Fulton: Today I have the pleasure to introduce legislation to reform the economic regulation of trucking in this province. The proposals contained in this legislation will benefit the entire industry, providing for increased competition, more responsive and flexible trucking services and lower transportation costs. In addition, they will improve truck safety

on Ontario's highways, objectives this government is convinced are necessary to support Ontario's economy and the travelling public.

In the numerous representations made to me over the past year, the point was made again and again that the existing legislation cannot meet the needs of the manufacturing marketplace, which is the keystone of Ontario's economic viability. The current regulatory framework is provided by the Public Commercial Vehicles Act, which was enacted over 50 years ago. Since then, a patchwork of amendments has resulted in the legislation being both difficult to understand and to enforce. Consequently, it is perceived as unfair and inequitable by both carriers and shippers.

Trucking is crucial to Ontario's economic survival; it services virtually all our commercial sector to some degree. At the same time, transportation costs and services are becoming increasingly important as a cost of doing business.

The benefits from the increased competition we foresee will be more pronounced in northern Ontario, where transportation costs are higher and service options fewer. With more local involvement in trucking, there will be better service and job creation. Carriers serving northwestern Ontario, for example, will be able to obtain backhauls, obviously reducing costs not only of goods but also of transportation. In addition, with for-hire licences more attainable, northern truckers will be in a position to respond quickly to changing shipper or consumer demands.

In introducing reform measures, it is important that both the trucking industry and shippers be protected from any undue impacts, since both rely on the other. Hence, these reform proposals will steer clear of the virtual deregulation which occurred in the United States some six years ago. Because we learned from their experience, there will be mechanisms designed to prevent severe market disruptions, to stimulate fair and equitable competition and, most important, to ensure that highway safety will in no way be compromised.

The new legislation is the result of extensive consultation with a range of groups and associations with an interest in the for-hire trucking sector. While I am reluctant to single out any one group, I want to commend the Ontario Trucking Association; throughout the process, the OTA has provided helpful insight.

Additionally, a good deal of discussion took place with my counterparts in other provinces

and the federal Minister of Transport in an effort to maximize consistency across Canada. Trucking regulatory reform is taking place throughout all provinces. Therefore, the legislation I am proposing is only a part of a wider effort, yet it seeks the same objectives as recent amendments to the federal Motor Vehicle Transport Act and the National Transportation Act.

I will be introducing three bills.

First, the Truck Transportation Act will replace the existing Public Commercial Vehicles Act. Entry control of the industry will be changed from an applicant having to prove a need for the service to a demonstration that he or she is fit to provide a responsible trucking service. Also, initially there will be provisions for a public interest hearing where there is concern about extensive market disruption.

Second, amendments to procedures at the Ontario Highway Transport Board will be proposed to accommodate the new regulatory system.

Finally, to ensure safe performance in the trucking industry, amendments to the Highway Traffic Act will be tabled, placing increased responsibilities upon truck operators for highway safety.

13:50

Mr. Gregory: At this point, I congratulate the minister for finally bringing in this legislation, which has been coming for a long time.

The minister was remiss in not mentioning this draft bill was prepared some time ago by a former Minister of Transportation and Communications, the Honourable James Snow. The draft bill was prepared to enable input from the various sectors across Ontario. I understand the minister is now benefiting from the information that was secured.

He probably was remiss in not mentioning the work of the select committee on the highway transportation of goods back in 1976, which I had the honour to chair. I want no credit for that, but I hope many of the recommendations on this legislation will come from that select committee.

Also in 1976, there was a select committee on highway safety. No doubt the minister has read its proceedings and findings from cover to cover and would be prepared to debate them at any time, which would also have a great bearing on the legislation as it is coming forward.

I promise the minister that when the legislation is introduced, there will be a rather interesting discussion. I hope to see the results of some of the public input that has been secured in the hearings.

Mr. Mackenzie: It is with concern that I view the legislation the minister is suggesting to the House today. What I would like to do for just a moment is to take this House through some of the more telling testimony we heard in our free trade committee hearings concerning deregulation in the United States.

Three representatives of the Canadian trucking industry appeared before that committee. Those representatives told us that deregulation in the United States had resulted initially in better prices for those shipping goods, but that it was a short-lived benefit. What happened also was that there was a tremendous shakedown in the industry and many of the smaller companies went out of business or were gobbled up by the big boys. Following that, many of the medium-sized companies went out of business.

I specifically asked questions to do with safety and environmental matters. We were told that in medium-sized companies those were some of the first things that went as they tried to stay competitive in the new deregulated market.

The most telling argument of all before that committee was the information from the trucking executives that when total deregulation was finished, they had a lot fewer trucking companies. I think there were 57 per cent fewer organized teamsters and better-paid workers in the industry. The prices were back up almost to where they were before deregulation took place. That is a scary scenario. The minister had better have in place all the protections he is talking about before he moves in this area.

The trucking industry was essentially not supporting the free trade initiative, but making it clear to us that if we have any kind of free trade agreement in this country with the United States—a bilateral free trade agreement—then trucking deregulation is necessary immediately as the only way they could survive. By that, I think they meant some of them, and that is the bigger operators in the business.

The minister also makes comments about how this will benefit the north. My northern colleagues have been quick to tell me the pattern is that there may be initial benefit, as there was in the United States, with a little more competition in the big market areas. That does not necessarily hold true in the small market areas where it is something like the airline industry; there you find them pulling out and you find less competition and less ability to look for prices in terms of the transportation of goods.

There are serious questions as far as northern Ontario is concerned in this government move. I

want to see an awful lot more information than we have before we rush into trucking deregulation in Ontario.

13:55

ORAL QUESTIONS

TARIFFS ON SOFTWOOD LUMBER

Mr. Pope: I have a question for the Minister of Industry, Trade and Technology. I think it speaks volumes that the minister is here today and not out in British Columbia dealing with a very important issue that confronts all Ontarians. We now have a situation where more than 900 people are out of work in northern Ontario, arising out of the softwood lumber decision. It is going to be discussed in Vancouver, and our minister of trade is here in Toronto. It also speaks volumes that neither he nor the Minister of Natural Resources (Mr. Kerrio) bothered to make a statement to the people of this province today, with 900 people out of work and another 65 layoffs reported in Thunder Bay's paper today.

Who will be presenting Ontario's position in Washington on the softwood lumber matter on December 1? Will Ontario's position be the national position?

Hon. Mr. O'Neil: I am going to Vancouver. I will be leaving very early in the morning. I came here today in case the member had a question to ask me. I knew he would want to be kept up to date. As I have told the member in the past, we will be represented in Washington, as we have been represented in Ottawa in our discussions with the federal government; and the matter of softwood lumber will be discussed by the Premier (Mr. Peterson) with the federal government officials and other provincial people.

Mr. Pope: The Minister of Industry, Trade and Technology should be out in Vancouver fighting for Ontario's position. On October 1 he supported a national position that has cost Ontario 800 jobs. He should be out fighting for Ontario's interests. He never answered my question. Who is going to fight for Ontario's interests in Washington? Who is going to present Ontario's position in Washington on December 1? Will Ontario's position be the national position?

Hon. Mr. O'Neil: Again, had the member seen the schedule for the meeting of the Premiers he would know the meetings start tomorrow. I will be there for those meetings. Ontario will have officials there. We will have lawyers who will represent us, both from here and there. If required, I will also be there to fight the case.

Mr. Pope: On October 1 and for three weeks following, this minister and this government went along with the national proposal of an eight per cent to 10 per cent solution announced by Pat Carney. The Ontario Progressive Conservatives forced him to abandon that position when he knew it would cost 500 to 1,000 jobs in northern Ontario. He has systematically refused for the past three-and-a-half weeks to tell us who will be representing Ontario's interests in Washington on December 1.

He did not file a request for a hearing on his own behalf. He has refused to tell us who is representing him. He has refused to tell us what his position is going to be, and 900 people in northern Ontario are out of work because he will not bother.

Mr. Speaker: Order.

Mr. Pope: Now who is representing Ontario?

Hon. Mr. O'Neil: We have notified the Department of Commerce that we will be represented at those hearings, which we are required to do before the end of November. We have done that. With respect to a lot of information about the questions the member is asking me in the House, the most recent time we met with Pat Carney I understand he made two or three calls to her asking for information. He wanted to know what was going on, to give his advice.

ELECTRIC SHOCK THERAPY

Mr. Grossman: Is the Minister of Health (Mr. Elston) in the back room somewhere?

Hon. Mr. Nixon: He will not be here until near the end of question period.

Mr. Speaker: The member has a question to which minister?

Mr. Grossman: I wanted to ask a question of the Minister of Health. Does the government House leader know how long he will be?

Hon. Mr. Nixon: He is on my absent list; that is all.

Mr. Grossman: In the absence of the Minister of Health, I will ask the Attorney General the question. I hope he will be aware that in 1984 Windsor lawyer Charles Clark was appointed to head a review into the practice of using electroconvulsive shock therapy on patients in Ontario. The report that was received by the Attorney General's colleague in December 1985 contained 39 recommendations. I am sure the Attorney General is very concerned about making sure that the legal and other rights of the patients in Ontario's system are being protected.

Will he report to the House today how many of the 39 recommendations have been implemented?

Hon. Mr. Scott: I am aware of the report and I have read significant portions of it, and I know the Minister of Health is aware of the report and is considering it. I will bring my learned friend's inquiry to his attention this afternoon and try to get an answer for him at the earliest possible time.

Mr. Grossman: I wonder whether we can prevail upon the Attorney General to do one thing further, and that is to take this position: in the event that none, or very few, of the 39 recommendations have been implemented—and my information is that none has been implemented—will the Attorney General agree that, pursuant to the recommendations of Mr. Clark, shock treatment should be stopped immediately until the safeguards recommended by Mr. Clark are put in place?

Hon. Mr. Scott: This is another example of my honourable friend asking a question to which he apparently knows the answer. I take it I am now discharged from passing the request on to the Minister of Health, because the questioner has indicated he already knew the answer when he asked the first question. However, I will pass on the concern he has expressed.

Mr. Davis: It is interesting that you do not know the answer, though. Why do you not know the answer?

Hon. Mr. Scott: I raise the matter because when I came here I really believed questions were asked for information and information was provided.

Mr. Gillies: Don't be naïve.

Hon. Mr. Scott: I run the risk of getting a lousy question rating from the press gallery for making this observation, but as the member for Brantford (Mr. Gillies) says, it was perhaps incurably naïve of me to think that questions were posed in order to obtain information.

However, let me advise the honourable member that I will convey to the Minister of Health this afternoon, if I can reach him, the member's concern about the recommendations Mr. Clark made in that most important report.

Mr. Grossman: I say to the Attorney General in all seriousness, in response to the rather snide and supercilious attitude and the joking with which he treats a problem that affects patients who today, almost a year after the minister received a report, are receiving shock treatment, no less, without any appropriate safeguards

being put in place, that while he may enjoy trivializing the questions that are asked in this House, while he might like to muse quietly about his irritation at being asked questions that relate directly to the safety and welfare of the mental health patients in this province, he has a responsibility to those patients.

I will therefore repeat the second question I asked, because it has not been answered. One year after the report has been received, there are patients today who are receiving shock treatment without having any safeguards put in place. Does the Attorney General not agree that, in the absence of safeguards, those shock treatments should be stopped immediately until his colleague puts in the safeguards?

Hon. Mr. Scott: As the member knows, the concern for the circumstances in which shock treatment prescribed by fully qualified medical doctors is provided to patients has been a legitimate concern of members of this party and members of the third party for some years. The member for Scarborough West (Mr. R. F. Johnston), for example, has been concerned with various aspects of this and raised the matter almost interminably with the previous government.

The report is now at hand and, as I have indicated to the member, it is not a report that is within my ministry. I will bring his concerns to the Minister of Health as soon as I can reach him this afternoon in order that he may respond as quickly as possible.

Mr. J. M. Johnson: On a point of order, Mr. Speaker: Can you inform me whether the Attorney General bills the Legislature for his lectures?

Mr. Speaker: That is not a point of order. That is a point of personal comment.

Mr. Rae: He charges exactly what they are worth.

Hon. Mr. Bradley: The member is getting up to pick on mascots again. What mascot is he picking on today?

Mr. Rae: The mascot I am going after today is the Minister of Industry, Trade and Technology.

GOVERNMENT'S POLICY ON SOUTH AFRICA

Mr. Rae: I would like to ask the Minister of Industry, Trade and Technology to refresh his memory about the recommendations he made to cabinet back in September with regard to South Africa. The first recommendation the ministry made was, and I am quoting, "The government

continue to urge Varity"—that is to say Massey-Ferguson—"to consider its policy with regard to South Africa, but take no further action." I wonder whether the minister would care to cut through the Sir Humphreyesque bafflegab which that sentence clearly represents and tell us what in goodness' name is the government's policy with respect to its shares and its direct investment in South Africa.

Hon. Mr. O'Neil: The leader of the third party knows that was a cabinet document that was submitted for consideration by cabinet. Whether the recommendations will be accepted or whether they will be changed by the cabinet still remains to be seen. In looking at that, I think the last thing the leader of the third party would want to see is Massey-Ferguson put in such a position that it would have to lay off additional workers or close its plants here in Ontario.

Mr. Rae: The minister has not answered the question. The federal government has undertaken certain very modest, but nevertheless clear measures with respect to South Africa. In September, the minister recommended to cabinet that a ban on all Ontario government procurement in South Africa be implemented, as well as a ban on all products coming from companies that have a majority ownership in South Africa. Can the minister explain why even these very modest—one could say inadequate—recommendations have not been followed by his cabinet colleagues?

Hon. Mr. O'Neil: We consider that to be a very important matter. We hope the recommendations in the document will go forward again to cabinet and will be dealt with as soon as possible.

Mr. Rae: Clearly, the minister is saying that even these totally inadequate recommendations, even the ones that suggest that all Ontario should do is parallel what the federal government is doing, have not been accepted by his Liberal Party colleagues and cabinet.

Can the minister explain why Ontario imported more between January and June 1986 than in the same period in 1985? When it comes actually to looking at what has taken place since he announced his much-touted gestures with respect to South Africa, why is it that trade has increased and that cabinet has done absolutely nothing with respect to the recommendations that he and his colleagues have made with respect to divestment, procurement and direct investment in South Africa?

Hon. Mr. O'Neil: It is hoped the cabinet will act very shortly on some of those matters.

14:10

PENSION FUNDS

Mr. Rae: I would like to turn to another area where the cabinet has done less than nothing. Can the Minister of Financial Institutions, who is responsible for pension reform and for headlines in many newspapers, tell us why he has been unable to produce legislation for us at this stage and why that legislation does not contain any protection with respect to inflation?

Hon. Mr. Kwinter: I find it very interesting that the leader of the third party says we have not been able to produce any legislation, and then he says what is in it. I suggest he comment on the legislation when he sees it.

Mr. Rae: The minister clearly is not interested in engaging in any useful dialogue on this question.

In 1984, when the current Leader of the Opposition (Mr. Grossman) was the Treasurer in the Conservative government and was holding interprovincial conferences with respect to pension reform, John Ilkiw, a senior adviser to the Treasurer on pension reform, who I understand is now working in the private sector, made this statement:

"Inflation protection per se does not involve extraordinary costs," said John Ilkiw, a senior adviser on pension reform to Ontario Treasurer Larry Grossman. "Pension plans already profit from increases in the inflation rate which boosts the returns on investments made by pension funds," Ilkiw said."

Is it still the position of the government that pension funds benefit from inflationary increases and that it is only fair that workers, who should be receiving money from those pension funds, should also receive some kind of increase as a result of inflation?

Hon. Mr. Kwinter: The leader of the third party will know this government is on record as saying it favours mandatory inflation protection. That being said, he will also know that during negotiations with other jurisdictions in Canada, with the various provinces and the federal government, we could not get consensus. He will also know that notwithstanding what Mr. Ilkiw and other people say—that it is possible mandatory inflation protection would cost no more than one per cent of payroll—there are others who feel that is not accurate and that it could cost significantly more than that. These are some of the problems we have to address.

Mr. Rae: It must be tough to be in government. I do not know how they solve all those

problems. It would be nice if the minister would tell us in his view today, as minister responsible for pension reform, (a) what the cost would be of providing for indexation for private pensions; and (b) how much the value of private pensions has gone up in relation to inflation in the past two years.

Hon. Mr. Kwinter: One of our problems is that I cannot give the member that information; it is not readily available where I can say, "This is what it is going to cost to provide mandatory inflation protection for all the private pension funds in Ontario." That information is just not available. Our problem is that there are people such as the leader of the third party who say it is one per cent of payroll, but if you investigate you find it is not so. The exact figure is something we have to determine.

ALCOHOL ON OPP BOAT

Mr. Sterling: My question is for the Attorney General. According to Superintendent Jack Burke, who is with the community services division of the Ontario Provincial Police, if an OPP officer were found to have open liquor on a boat, he would be charged and suspended from his job and could even be fired. The Ministry of the Attorney General Act, section 5, says, "The Attorney General...shall see that the administration of public affairs is in accordance with the law." Can the Attorney General tell us why our top cop, our Solicitor General (Mr. Keyes), is being treated differently from the ordinary people of the province?

Interjections.

Mr. Davis: Laugh this one off.

Hon. Mr. Scott: When the member for Scarborough Centre (Mr. Davis) is finished, I will begin to answer the question. Is he finished?

The fact is, as the members know, an investigation is being undertaken by the staff of the crown law office. When that investigation is completed I will report to the House.

Mr. Sterling: This morning we contacted the OPP to see how many other luncheons and how many other boat rides had been taken and by whom. We were told they could make no comment and we would have to speak directly to someone from the Solicitor General's office. We believe this is a blatant attempt to cover up information which every person in this province has a right to know. Will this information be readily available to us under Bill 34, the Attorney General's freedom-of-information bill?

Hon. Mr. Scott: The answer to that question is that clearly it would not be available to the member under the bill he introduced in this House or under any of the bills he has discussed.

There is a possibility that it might be available—not a necessity, but a possibility, depending on questions of timing that the act presents—under the bill we have introduced. If we can get that bill moving in committee as quickly as possible, I hope we can report on it to the House.

Mr. Davis: Why do you not show up once in a while?

Mr. Rae: Do you even know where the committee is held?

Mr. Speaker: Order. There are members who want to ask questions.

Mr. Sterling: On a point of order, Mr. Speaker: It should be clarified that if the Attorney General would show up at the committee we would get on with the bill.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: I remind all members that we have a book of standing orders. I suggest you all read it and refer to the standing orders.

ELECTRIC SHOCK THERAPY

Mr. Reville: I want to give the Attorney General an opportunity to participate in the question period. My question relates to what he knows about the matter of electroconvulsive therapy and the civil rights of people in Ontario. The Attorney General will know his colleague the Minister of Community and Social Services (Mr. Sweeney) has shared his views with the Minister of Health (Mr. Elston), and the Attorney General will know his ministry is very active in this matter.

Will the minister not acknowledge to the House that we have had no action on a matter of extreme importance regarding the civil rights of people in Ontario precisely because the report is stuck in a committee in his ministry; that is, the Guardianship Committee?

Hon. Mr. Scott: I do not accept that assessment at all. As the honourable member very correctly says, the views of a number of ministries on this important and critical subject have been made known to the Minister of Health.

The Guardianship Committee is not some government or bureaucratic committee; it is a committee composed of representatives of consumers and social service providers, a committee made up of representatives of the public. They

have been considering the matter, as I understand it, to make their views known.

I do not believe it is a bad thing to have that kind of consultation with consumers, with patients and with service providers undertaken by a government. All those interest groups and ministries should have a right to express their views to the minister before he recommends to his cabinet colleague the appropriate response.

While I am on my feet, I can say I am anxious that the standing committee on administration of justice should deal with Bill 51, but it has been so busy dealing with quasi-political matters that it has not had time to turn to freedom of information.

14:20

Mr. Reville: I remind the Attorney General it is the standing committee on resources development that is dealing with Bill 51.

I also remind the Attorney General that I do not believe there is one consumer in the province who thinks it is appropriate to put an electric charge through somebody's brain against his will. I ask the Attorney General to rise in the House now and say whether it is his position that somebody who is competent under the law and who has refused electroconvulsive therapy should be subjected to such treatment.

Hon. Mr. Scott: As the honourable member knows, the issue that is presented by that question is that of the circumstances, if any, in which that kind of treatment should be provided by a duly qualified medical practitioner. That issue has been addressed by a number of reports. A number of ministries have concerns about it, which they have made known to the Minister of Health. A number of consumer groups, including patient groups, who are members of the Guardianship Committee, are anxious to make their views known, and their views should be heard.

As the member will also know, Bill 7 has a number of important amendments to make with respect to this kind of matter. When the executive council makes the decision, the Minister of Health will respond to questions of that type.

DETROIT INCINERATOR

Mr. Newman: I have a question of the Minister of the Environment. I understand the Minister of the Environment has been over to Detroit to see exactly what the city of Detroit is planning. What they are planning is the construction of a monster incinerator that will pollute not only Detroit but also Windsor and its surroundings.

What plans does the minister have concerning this issue so we can convince the mayor of Detroit that if they are going to build an incinerator, at least they should have up-to-date pollution control devices?

Hon. Mr. Bradley: The member is correct. I attended a conference yesterday, which really dealt with the Great Lakes and was a very useful conference. However, at the conference I had the opportunity to meet with officials of the state of Michigan to canvass with them the options that might be available.

I indicated once again—and I know the federal minister, the city of Windsor and the local members of the Legislature have done so—the position we have in Ontario that Detroit should not construct this incinerator without the best and latest available technology.

Unfortunately, Detroit has a permit that has allowed its construction to proceed. Nevertheless, I indicated very strongly to the officials of the state of Michigan that we wished to see an intervention on their part with the city of Detroit. Yes, an additional cost would be applied—the estimate that Detroit has is \$17 million in capital costs and some operating costs—but it would be essential to protect the people of Detroit and those of Windsor and Essex county.

ALCOHOL ON OPP BOAT

Mr. Gillies: My question is for the government House leader. I want to ask the government House leader whether he feels it appropriate—this is the second day of asking—that the member for Kingston and the Islands (Mr. Keyes) remain in his position as the chief law enforcement officer for Ontario after he has so seriously put at risk the reputation of the Ontario Provincial Police. We excused his demeaning request that the OPP salute him, but now we ask whether the government can condone this minister asking the OPP to cater to and be a party to his famous booze cruise, putting at risk the reputation of the force while he flagrantly broke the law.

Hon. Mr. Nixon: The Attorney General (Mr. Scott) has indicated to the House that the matter is under investigation.

Mr. Gillies: This so-called investigation seems a little superfluous. The facts of the matter are not in dispute by the Solicitor General or by any other member of this House. We also question an investigation being conducted by the Attorney General, his own rather cavalier attitude towards liquor laws being known through his famous front-lawn booze party.

Hon. Mr. Scott: On a point of privilege, Mr. Speaker: On what ground does the honourable member question an investigation conducted by me?

Mr. Speaker: Order. That is not a point of privilege.

Mr. Gillies: Why is it necessary to have a superfluous investigation conducted by a minister who had an unlicensed party on the front lawn of the Legislature not one and a half years ago, although he did not seem to see anything wrong with that? What is necessary is to maintain the integrity of the government by accepting the minister's resignation. Why will the government not do the honourable thing and accept the minister's resignation, as is requested in this Legislature?

Hon. Mr. Nixon: The member for Brantford has set himself up as some sort of executioner on the basis of his own opinion that we on this side are not prepared to accept his views. The law officers of the crown, under the direction of the Attorney General, have important responsibilities in this regard, which we recognize, in spite of the views of the member for Brantford, which are well known on a wide variety of these matters.

PAY EQUITY LEGISLATION

Ms. Gigantes: I will ask a question of the minister responsible for women's issues. Will the minister confirm that the delay in providing protection against gender-based pay discrimination is costing working women in Ontario an average of \$100 a week?

Hon. Mr. Scott: I do not have the answer to that question. I will try to ascertain it.

Ms. Gigantes: It seems to me the minister should know; it is an important area for which he has responsibility, and he should be able to answer that question.

The minister is reported to have told business representatives yesterday that equal pay adjustments would not raise their payroll costs and that equal pay increases to women could be made from moneys that are normally allocated to wage increases. Why is he proposing that workers, rather than employers, foot the bill for equal pay?

Hon. Mr. Scott: The quotation that was assigned to me in that press report, if that is what it was, was misunderstood. What I was trying to explain was that in a number of jurisdictions in which pay equity has been introduced, either in the public sector or in the private sector, the costs of implementing it for women who were entitled was frequently, though not always, substantially

less than inflationary increases that are normally borne annually by an employer. Also, the concern that the costs would be exorbitant was not demonstrated, when it was borne in mind that the costs often were less than the inflationary increases that employers normally have to bear in normal market circumstances. For example, in the city of Toronto, the cost of pay equity in those areas in which it was applied was substantially less than four per cent.

TOXIC CONTAMINANTS

Mr. Ferraro: I have a question of the Minister of the Environment, who is noted for his short and concise responses. I want to say initially that I am pinch-hitting for the member for Wentworth North (Mr. Ward), who could not be here today, and indeed for the member for Hamilton Centre (Ms. Munro), who cannot ask a question.

Mr. McClellan: Question.

Mr. Davis: Did you write it for him?

Mr. Ferraro: I do not understand this, Mr. Speaker. I cannot do any worse than some of my friends' questions. They should give me a break.

The question pertains to the Lax company's harbour site in Hamilton and essentially to the cost of cleaning up the contaminants there. The estimated cost was originally \$215,000. Unfortunately, it was discovered that more contaminants had been dumped into the river than was originally believed and the cost jumped to \$1.6 million. Is the minister aware of that? If so, what is he going to do about this problem?

14:30

Hon. Mr. Bradley: I believe I did see a television clip on this. My understanding of it is that the case is as the member has suggested. At a meeting in Hamilton, members of one of the committees of city council discussed this. Members of the House, particularly those from around Hamilton, may be aware that they are attempting to use the property around the bay for recreational purposes.

In the light of the question the minister has asked—

Mr. Davis: The minister? You are the minister.

Hon. Mr. Bradley: I am the minister. Perhaps I have made a prophecy that the member for Wellington South (Mr. Ferraro) would be pleased to have come true.

Our investigations and enforcement branch will be looking into this matter to determine whether there was any illegal dumping or whether it was in excess of what is required by

the Ministry of the Environment. I will give an undertaking to have an investigation by our ministry. On all of these occasions, I know the investigations and enforcement branch takes the appropriate action on its own initiative.

ALCOHOL ON OPP BOAT

Mr. Sterling: I have a question for the Attorney General. We found out yesterday from Superintendent Jack Burke of the Ontario Provincial Police that the police are exercising a discretion with regard to laying charges with respect to people who are drinking while a boat is under way. Evidently, they exercise this discretion not to lay a charge if there are important people on board.

Is the Attorney General willing to acknowledge that all people hereinafter charged with a similar offence will have open to them a defence of improper use of police discretion, as long as they have an important person on board?

Hon. Mr. Scott: Of course, I am not.

Mr. Sterling: Will the Attorney General ensure that some 800 ordinary people of this province who have been charged and/or convicted of a similar offence be treated in the same vein and the same manner as the Solicitor General (Mr. Keyes) of this province and either have their charges dropped or withdrawn, or their fines refunded so that everyone in this province will be treated by the rule of law which it is the Attorney General's duty to enforce?

Hon. Mr. Scott: The allegations that were made about the conduct of the Solicitor General and about which he made a comment himself yesterday are in the course of being investigated by the police and by the crown law office. If there is anybody else my honourable friend wants investigated, he should let me know.

Mr. Gillies: It is about time you guys realized there is only one law in this province, not one for the general public and one for cabinet ministers.

Mr. Speaker: Will the member for Brantford (Mr. Gillies) contain himself. Other members wish to ask questions.

EMISSION DISCHARGES

Mrs. Grier: I have a question of the Minister of the Environment about his promised revisions to his fines and penalties legislation. Can the minister tell the House whether the revisions he proposes to bring before us will make the crown subject to the Ontario Water Resources Act, so that provincially-owned facilities are treated in

the same way as any other facilities that discharge effluent to our waterways?

Hon. Mr. Bradley: I am sorry I missed the press conference the member for Lakeshore had today. I did not get that opportunity. I am told this was a topic of some considerable interest. Was it the member's press conference or another press conference? I am not quite certain. To answer the question the member asked, and that is what she wants me to do, I think she may be under the mistaken impression—and it is understandable because of the municipal-industrial strategy for abatement program dealing with water—that the MISA program involved the Ontario Water Resources Act.

It is my intention to proceed with the MISA program under the Environmental Protection act. It is my understanding, in consulting with the legal people in our ministry, that section 19 of the Environmental Protection Act specifically binds the crown. As a result, all plants will be regulated under the MISA pollution abatement regulation. That would mean the Ministry of the Environment, and I think the Ministry of Government Services which might be involved because it is crown-owned land, would both be prosecutable. Since we are proceeding with the MISA program under the Environmental Protection Act, and since the forthcoming amendments will deal with the Environmental Protection Act, under which MISA will be regulated, the answer is that we will not be immune from prosecution.

Mrs. Grier: I did not ask the minister about his MISA program. I asked him about a device open to him to do in the short term what he says he wants to do in the long term, that is, to amend Bill 112, which deals with fines and penalties, so that he can immediately make crown-owned facilities subject to the same fines and penalties as any other polluter.

Can the minister tell us why he is not prepared to do that when the opportunity presents itself to him so simply and so soon?

Hon. Mr. Bradley: The member is—

Mr. Stevenson: Here comes another verbal spill.

Hon. Mr. Bradley: The member for Durham York, who intervenes, is an individual who is a specialist at verbal spills. Perhaps we can place the member under the Environmental Protection Act as well. He has referred to me—I do not know whether in a complimentary or noncomplimentary fashion—as Captain Chemical. I reject that. What was the question?

Mr. Speaker: Can I have a response?

Hon. Mr. Bradley: The question related to the penalties legislation, which is going to be proceeded with during this session of the Legislature. I am quite willing to entertain all the suggestions that have been made. The member will know that during the summer months a number of representations were made by different groups and organizations. I believe she herself has made some suggestions. I want to take those all into consideration and proceed with a bill which is absolutely the most effective possible to ensure that the environment of this province is protected.

PROPANE EXPLOSION

Hon. Mr. Kwinter: In response to a previously asked question by the member for York South (Mr. Rae) relating to the explosion which occurred at the corner of Weston Road and Victoria Boulevard, I wish to inform the member that, as of this time, the investigation into the situation is ongoing and has not yet been completed. However, preliminary evidence seems to indicate that the explosion occurred in the attached garage, which, technically, is not related to the propane-dispensing facility. It is like the garage where car repairs are done at one's local gasoline station.

In any event, the fuels safety branch of my ministry completed a full inspection of this site on March 17, 1986, and gave final approval, having checked all requirements to determine compliance. No further inspections took place after March 17. That was one of the things the member asked me about.

These propane facilities licensed by the ministry number about 1,800 to 2,000 in Ontario, and our records indicate that we have experienced no major problems with them. In fact, during the past two years, we have experienced three minor fires at propane-refueling stations in Ontario, similar to the one in the member's riding.

The explosion appears to have originated in a garage and not in the actual site of the propane-dispensing facility. The investigation is ongoing, and I will keep the member informed on any new information I receive.

Mr. Rae: The minister will know that this is in the middle of a residential area. If he wants to go up Weston Road, it is a block away from my constituency office. It is smack in the middle of a residential area. There are houses 80 feet away and residents were very concerned and expressed their concern over a period of months.

Is it the general practice of the ministry simply to have one inspection and no additional or routine inspections of these facilities? If that is the practice, is he not concerned that, as a result of this explosion, ongoing inspections are necessary and should be introduced as a matter of rule, particularly where facilities are put right in the middle of residential areas?

14:40

Hon. Mr. Kwinter: I am concerned, but I would also like to point out, just so there is no misunderstanding, that what normally happens is that an inspection takes place before the facility can operate. Subsequent to that, there are random inspections. In this case, the records show there was not an inspection subsequent to March 17.

Notwithstanding that, the preliminary report shows the accident happened in the garage and had nothing to do with the facility itself. If the inspectors had gone there and seen the facility, it would not have prevented the explosion in the garage, which had nothing to do with the installation of the facility.

RETIREMENT OF CLERK

Mr. Eves: I have a question for the Attorney General. On October 14 of this year, in response to a question from our leader concerning the severance package awarded to the former Clerk, the Premier (Mr. Peterson) indicated with respect to the legal opinion the government had on the matter, "The answer is that the Attorney General has given a legal opinion on this matter."

Yesterday the Attorney General tabled in the House a legal opinion, not by him but by Graham Stoodley, director of legal services for the Ministry of Treasury and Economics. Can the Attorney General please tell us whether he personally provided a legal opinion on this issue to the Premier and the government?

Hon. Mr. Scott: The opinion the Attorney General's department provided to the government is the opinion that is set out in the return to the question dated last April. I have been asked whether I agree with the opinion, and I have made it plain on a number of occasions orally that the effect of the 1974 legislation is to invest the Clerk with an office for life that can only be terminated after a trial at the bar of the House in which cause is demonstrated.

Mr. Eves: First, the Attorney General is telling us that when the Premier indicated the Attorney General had given an opinion on this matter, in fact he had not.

Second, if the Attorney General will look at Mr. Stoodley's opinion, as I am sure he has, Mr.

Stoodley comes to the conclusion that what the former Clerk is legally entitled to as a retirement or severance package is much less than that proposed or given by the government.

Hon. Mr. Scott: The answer to the first question is no, I do not agree.

The answer to the second question is that Mr. Stoodley's opinion is that, by virtue of the statute, the Clerk had an appointment for life, subject to termination for cause. I have orally agreed with that opinion.

CORPORATE TAXATION

Mr. Foulds: I have a question for the Treasurer. Does the Treasurer realize that in a meeting of the standing committee on finance and economic affairs on October 8, when Robert Luba, executive-vice president of Crown Life, a company whose net income was \$17.5 million, was asked when his company last paid corporate income tax, he answered: "A long time ago. It was before my time....not within recent history. Many years ago."

When I asked the same question of P. D. Burns, president and chief executive officer of Confederation Life Insurance Co., a company whose net income is \$408 million, he said he could not remember either.

If the Treasurer were to ask the same question of a working single mother earning \$18,000 in this city and living below the poverty line, she would answer, "Last payday." Does the Treasurer think that is fair? When is he going to change it?

Hon. Mr. Nixon: The insurance companies pay other forms of taxes, as I am sure the honourable member is aware. I cannot defend them. I am delighted, however, that the new committee I set up is working so effectively.

Mr. Foulds: Could I ask the Treasurer and his officials to work just as effectively, and to look seriously at removing at least the \$625 of income tax that Ontario collects from that poor working single mother and that he urge his federal counterpart to remove the \$1,200 in income tax she pays? The Treasurer knows full well that she too pays other taxes.

Hon. Mr. Nixon: I am sure the member is aware that our corporation income taxes parallel the structure of the federal tax almost exactly. On a number of occasions, we have put forward amendments that have been supported by the member and other members in the House to effect that parallelism. There is nothing new in that, and we think it is important to maintain it.

I also want to respond to the comments made by the Treasury critic of the New Democratic Party having to do with decreasing the number of people at the low end of the income spectrum who are paying income taxes. I have said it many times and I am delighted to say it again. In the two budgets for which I have been responsible, we have increased the amount available for tax reduction, which is applied 100 per cent to those people at the low end of the income spectrum. In these two budgets, more than 500,000 people who still pay tax at the federal level have been removed from the responsibility of paying provincial tax.

As a matter of fact, during that time, in the federal budgets the tax reduction program has been eliminated and, at the same time, the government of Canada has given a \$500,000-lifetime exemption for capital gains, of which the member has been critical. We have tried to compensate for that by introducing a three per cent surtax, which puts the additional tax on to anyone whose income is more than \$50,000. I presume that almost catches the member.

SHORELINE PROTECTION

Mr. McCague: I presume the Minister of Municipal Affairs (Mr. Grandmaitre) will not be here.

Hon. Mr. Nixon: I have not been informed that he will not be present, but I am told he is not well.

Mr. Speaker: A question to any minister?

Mr. McCague: The acting Chairman of Management Board will do. Last week I brought to the attention of the Minister of Municipal Affairs the need for about \$1.5 million in my riding for shoreline assistance. Did cabinet and Management Board approve the \$1.5 million that is necessary?

Hon. Mr. Nixon: I should point out that it is not all for the honourable member's riding, but in the program that is established, which requires the government to meet certain payout provisions as the applications come in, all the money previously allocated has been used, as might be expected. Management Board of Cabinet has approved an additional \$1.5 million, and I am not at all sure that will be sufficient to take us through the fiscal year.

Mr. Brandt: Surely the acting Chairman of Management Board is aware of the fact that the number of requests that have come from municipalities right across Ontario will far exceed the very small additional amount he has made

provision for, namely, the \$1.5 million my colleague mentioned.

In recognition of the \$400-million windfall which my leader has pointed out still remains somewhere in the murky depths of the Treasury closets, will the minister not use some of that money to grant some relief to the taxpayers and citizens of this province who are having a problem and who are being devastated with high water at this time?

Hon. Mr. Nixon: I think the honourable member understands my previous answer. I said the \$1.5 million allocated recently, and as a matter of fact approved by cabinet today, would be used in response to the applications received. The program permits other applications, and we will fund them as they come in.

If you will give me a moment, Mr. Speaker, to respond to the comment made by the member that we have \$400 million lying around that we do not know what to do with, the member will be aware that the money is already allocated. Without listing it all, \$60 million has gone to the colleges' special fund, something like \$80 million has gone to the Ontario health insurance plan for utilization, \$14 million extra to firefighting and so on. I should also refer to the fact that \$100 million went to reduce the cash requirements.

We are hoping the buoyancy of the economy of the province will continue so we can make an even stronger response to shoreline protection in the manner the honourable member brings to our attention. However, the \$1.5 million extra has been allocated, and we are still receiving applications.

14:50

LOW-INCOME WORKERS

Mr. Mackenzie: In the absence of the Premier (Mr. Peterson), I will direct my question to the Minister of Labour. Unfairness and discrimination against women, in the ethnic community in particular, is nowhere more obvious than in the service industry, especially among cleaners and food service workers. They have underlined that with a 10,000-name petition that is on the desk of my leader today. The situation is so bad that the Premier himself was forced to intervene in the Olympia and York situation to fend off public indignation just a short year ago. This minister has constantly said that government and private sector tendering is under active review. Is "active review" the Liberal government's euphemism for actively sitting on the issue?

Hon. Mr. Wrye: The matter that so concerns the cleaners and this government is one of many for which we are reviewing the Employment Standards Act and the Labour Relations Act. I can only say that while a number of these matters may already have reached a conclusion in that the government may have decided on legislative amendments it can propose, because the spectrum of legislative amendments in these acts is quite wide—I think the honourable gentleman will agree that very substantial amendments to these acts are necessary—we intend to come forward with an amending bill that amends more than this one narrow issue. When those changes come forward, they will come forward as part of many changes to the act.

Mr. Mackenzie: How long does the minister think he can get away with ignoring a very obvious injustice and unfairness in this situation? It does not need to wait for the comprehensive legislation the minister is talking about. How long will we continue to allow discrimination against these employees who do not have the same rights as other unionized employees in a business that happens to be sold?

Hon. Mr. Wrye: The member has proposed an amendment of his own to the act that my colleagues and I find unacceptable. The very simple amendment he has talked about is one that goes far beyond helping that group and has implications for the construction industry and the automotive industry, as the member knows. While his amendment would protect unionized workers in the cleaning industry, it would not protect nonunion workers. This minister and this government are going to protect all workers and not just some workers.

SCHOOL FUNDING

Mr. Sterling: I have a question for the Minister of Education. The Carleton Roman Catholic Separate School Board has requested funding for additions to three high schools in its jurisdiction. The additions are necessary to provide space for students who have a right to go to that system to acquire a secondary school education. Why is the minister not helping them with the funding? Why is he dumping the total burden of that funding on the local taxpayers?

Hon. Mr. Conway: I want to disagree with my learned friend from Manotick, because we are doing nothing of the sort. I am pleased to have the member for Carleton-Grenville strongly advocating the case for the Carleton Roman Catholic Separate School Board, but I can tell him that this government, under the leadership of

the Treasurer (Mr. Nixon), will expend approximately \$147 million on the capital account in 1987, which will be double the allocation of the honourable member's government in 1985.

Specifically, the Carleton Roman Catholic Separate School Board will continue to share very substantially in those capital dollars, but it will not be given retroactive funding for projects it was told it ought not to proceed with until approvals were forthcoming. The member should know that. Let me repeat, the Carleton Roman Catholic Separate School Board continues to share very substantially in the capital funding of this government.

PETITIONS

LABOUR RELATIONS LEGISLATION

Mr. Rae: I have a petition with about 10,000 signatures, in English and Portuguese, which says:

"We, the undersigned, call on the Honourable David Peterson, Premier of Ontario, to:

"1. Ensure that cleaners' jobs and collective agreements at Queen's Park, the Toronto-Dominion Centre, First Canadian Place, the Aetna building and the Gateway postal facility are protected;

"2. Amend the Ontario Labour Relations Act, section 63, so that successor employer provisions also apply to subcontractors; and

"3. Work with the honourable Bob Rae and the honourable Larry Grossman to ensure the speedy passage of the amendments to the Ontario Labour Relations Act when the House reconvenes."

On behalf of our party and on behalf of the Committee for Cleaners' Rights, I am very proud to present this massive petition to the Legislature and hope it will change the inane, inept response of the Minister of Labour (Mr. Wrye) to the kind of changes we want to see.

EQUALITY RIGHTS LEGISLATION

Mr. Pierce: I am pleased to present a petition addressed to the Lieutenant Governor of Ontario on behalf of some residents in the district of Rainy River in opposition to the inclusion of the amendment to Bill 7.

REPORTS

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Allen, on behalf of Mr. R. F. Johnston, from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Office Responsible for Disabled Persons be granted to Her Majesty for the fiscal year ending March 31, 1987:

Office Responsible for Disabled Persons program, \$1,418,800.

Mr. Speaker: I say to all members that it is very difficult to hear in here. If you have any private conversations, you may like to carry them on under the desks, under the galleries or outside.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr30, An Act to revive Italo-Canadian Centennial Club; and

Bill Pr38, An Act to revive Traco Investments Ltd.

Your committee begs to report the following bill as amended:

Bill Pr29, An Act to revive Magnum International Productions Inc.

Your committee would recommend that the fees, less the actual costs of printing, be remitted on Bill Pr30, An Act to revive Italo-Canadian Centennial Club.

Motion agreed to.

15:00

INTRODUCTION OF BILLS

TRUCK TRANSPORTATION ACT

Hon. Mr. Fulton moved first reading of Bill 150, An Act to regulate Truck Transportation.

Motion agreed to.

ONTARIO HIGHWAY TRANSPORT BOARD AMENDMENT ACT

Hon. Mr. Fulton moved first reading of Bill 151, An Act to amend the Ontario Highway Transport Board Act.

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Fulton moved first reading of Bill 152, An Act to amend the Highway Traffic Act.

Motion agreed to.

ORDERS OF THE DAY

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: We have a number of rather inconvenient situations involving my colleagues

in the government, who are on their way to attend a first ministers' meeting in Vancouver. We have some bills listed today that apparently have not been sufficiently caucused by one of the opposition parties. Some opposition members in committees that will be meeting this afternoon feel for some reason they cannot attend the House; therefore, the bills in Orders and Notices cannot be called.

However, I am suggesting—and we can do this only by agreement—that we can do the following bills, which are in Orders and Notices, and one that is not on the business paper today but is in Orders and Notices and ready to go. I suggest we begin with the bills of the Attorney General (Mr. Scott) that are ready. I point out that he will also be participating in the first ministers' conference and will be leaving later, but is here now. Those bills are orders 8 and 20.

With concurrence, I would then like to go to committee of the whole House for Bill 122, which was almost completed yesterday. I would then like to go to the Time Amendment Act, which has had second reading and which has been referred to committee; order 12, a bill standing in the name of the Minister of Transportation and Communications (Mr. Fulton); order 24, a bill standing in the name of the Minister of Community and Social Services (Mr. Sweeney); and order 26, a bill standing in the name of the Minister of Tourism and Recreation (Mr. Eakins). They will be called in that order if that is reasonably convenient.

I do not necessarily apologize, because some of the inconvenience and difficulty lies with each of the three parties, but as usual, we will do our best among the three House leaders, who are present, to see that the business of the House proceeds. With that, I would like to call order 8.

Mr. Speaker: Is there agreement?

Mr. Harris: No, there is not. I object strenuously to the tone of the government House leader. He has insinuated that the opposition parties are not ready to go on with this legislation. We received a note 10 minutes before he stood on his feet, telling us he wanted to change the order all around, telling us he wanted to bring something on that is not on and telling us he has ministers all over the country rather than here in the Legislature.

Earlier this week we heard the government House leader say on an open-line radio show that we should be sitting nights. The reality of the fact is that we adjourned early on Monday, at 5:30, because the government could not fill Orders and Notices. The reality also is that it cannot carry on

with what it has in Orders and Notices; the ministers are not ready.

Our party stands ready to proceed with all the orders in the order in which they are there; we are ready to go. Failing that, if the government House leader wants to adjourn for 15 or 20 minutes to discuss this in a reasonable and sensible manner, we are prepared to do that and see whether we can get all our people to change plans to accommodate the government.

Mr. McClellan: I do not know why everybody is being so cross. I want to indicate that as far as I know—and perhaps some of my colleagues can correct me if I am wrong—we are ready to proceed with everything that is in Orders and Notices, including Bill 113, and I have the honour of having the carriage of that bill myself.

I repeat: we are ready to do everything that is in Orders and Notices. I understand the government does not want to proceed with Bill 142 because it does not like the opposition amendments, which are guaranteed to carry because they are so sensible. Some of the other problems have to do with the time of the Attorney General's flight.

However, as I say, we are ready to co-operate with the government House leader in ordering the business in any way, shape or form; and any suggestion—and this is the point I want to stress—that the opposition is delaying the passage of government legislation or the deliberation on government legislation is sheer and utter nonsense.

Hon. Mr. Nixon: I can certainly accept the comments by the House leader of the New Democratic Party, because I have not indicated that either of the opposition parties is attempting to delay the business. However, I do take issue with the comment on the point of order made by the House leader for the official opposition.

I did not indicate in my remarks, which were not designed to be aggressive in any way but were simply trying to allow the business of the House to proceed reasonably, that any member of the official opposition had indicated he was not prepared to go forward with any order, except for one, order 20, An Act to amend the Metropolitan Toronto Police Force Complaints Act, which is listed not only in Orders and Notices but also on the business paper. It was indicated that they could not proceed because one member of the official opposition would be in committee. They have other competent spokesman, many of them, and I must insist that that order be called.

The honourable member has indicated that I have not listed Bill 142, An Act to amend the

Ontario Energy Board Act. The Leader of the Opposition (Mr. Grossman) gave verbal notice yesterday that he had amendments to that bill. We have not had a chance to review those, and we are not prepared to proceed at this time.

If the House leader for the official opposition wants to move the adjournment of the House and ring the bells for a while, that is one of the things he can do. But I have the right and the responsibility to call the orders in Orders and Notices, which the honourable member will know is before him on his desk, as it is before every member in the House; and the business paper has the list of orders we wish to call today.

Mr. Speaker, with my responsibility as government House leader, I call order 8.

Mr. Harris: Mr. Speaker, on a point of order—

Mr. Speaker: What point of order?

Mr. Harris: On the ordering of the business, which the House leader for the government party has just commented on. He indicated the Conservative party had indicated it was not ready to proceed with order 20. I indicated we are ready to proceed with the orders in the order in which the government has given them to us.

The orders of the day starts with Bill 122, committee of the whole House. Then it calls for order 10, Bill 14, the oleomargarine act. Unfortunately, the minister is away. It is such a significant act that the parliamentary assistant is not capable of carrying it; so the government does not want to do it.

The next order of business is Bill 127. Unfortunately, the minister is being lobbied over the next couple of days by the surveyors. There will probably be significant amendments and the minister is not ready to proceed with the next order that he told us we would be ready to do.

The next order is Bill 142, the Ontario Energy Board, which we are quite prepared to proceed with. As a matter of fact, we are prepared to proceed with Bill 90.

15:10

To plan our time, you will recall the Minister of Labour (Mr. Wrye) sat in the House to hear the Premier (Mr. Peterson) speak, went through until about 4:30 and refused to start the committee on Bill 105 yesterday. Now the minister is telling me that because he is going to change his mind and change the order with 10 minutes' notice, I have to change my mind and bring back all my speakers and people to suit his whim.

Do I object if he is not prepared to proceed on that basis? Of course, I object. If he wants to go

the way he told us we would go, we are ready. We are ready to go on all the bills, and we will do Bill 90 when the time comes. If he wants to start off with Bill 90, we will start off, but sooner or later—

Mr. Speaker: Order. I remind all members that, according to standing order 45, "Except as otherwise provided in these standing orders, government business will be taken up in the discretion of the government House leader or a minister acting in his place."

I called for orders of the day. The House leader called item 8; so I will recognize the Attorney General.

SUCCESSION LAW REFORM AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 1, An Act to amend the Succession Law Reform Act.

Mr. Speaker: Does the minister have any opening comments?

Hon. Mr. Scott: I will be very brief. I made a statement when the bill was introduced.

The purpose of this bill is to assure some technical housekeeping amendments that are required to the Succession Law Reform Act that are made necessary by the Family Law Act. The principle one is to incorporate in the former act the definition of "spouse" that was established by this assembly when it passed the Family Law Act. I commend the bill with these technical amendments to the members of the assembly.

The Acting Speaker (Mr. Morin): Are there any questions or comments?

Mr. O'Connor: I welcome the opportunity to say a few remarks with regard to Bill 1, An Act to amend the Succession Law Reform Act. The Attorney General has quite correctly pointed out that the family law bill, which was before the House earlier this year, which was before the standing committee on administration of justice for some considerable time and which was a long, detailed, complicated series of amendments to the Family Law Reform Act, necessarily required amendments to the Succession Law Reform Act because of the nature of the bill and the references it made to deceased spouses.

The bill before us is a housekeeping matter only, which gives effect in the Succession Law Reform Act to the changes that were implemented through the family law bill. It allows us to mesh with the former bill the same kinds of changes as have been explained by the Attorney General.

Having sat through the lengthy deliberations of the administration of justice committee, having been very much a part of the amendments to that bill and having understood at that time the necessity for amendments to this bill, I can advise that our party will be supporting the amendments in Bill 1. We will be happy to allow its passage in a speedy and efficient time, because there has been some considerable delay since the implementation of its companion bill.

Why has the government taken its time to introduce this very simple piece of housekeeping legislation? There is nothing of consequence in that there is nothing new. We were well aware of the need for these amendments many months ago, that has been demonstrated, the opposition parties are here to support the bill and give it quick passage. Therefore, I query the efficiency of the government in ordering its business and taking the time that it has to bring this matter forward when the amendments to it, because of the passage of the family law bill, have required this bill and its passage almost immediately thereafter.

However, we will be supporting it on second reading and throughout its passage.

Ms. Gigantes: It gives me pleasure to indicate on behalf of my party that I will be speaking in favour of this bill and we will make every effort to co-operate with the Attorney General in having it passed as quickly as possible.

There are a couple of areas in the bill I would like to draw to the attention of the members. One is in section 3, in which we are dealing with an amendment that will allow an application for support to be made by the Ministry of Community and Social Services in the name of the minister.

That relates to another piece of legislation we also carried forward over the past several months, and that is the maintenance enforcement legislation. We are very concerned that while this bill provides for dealing with succession matters under this new way of enforcing maintenance, the apparatus necessary for the implementation of maintenance enforcement by the Ministry of Community and Social Services is not in place.

We are very concerned about that and very concerned that the minister now looks to be in a position where he is assuming the role of giving something to the fathers, the nondependent spouses in a situation of marital breakdown, by way of access enforcement which he proposes to undertake fairly shortly. We are concerned that he is doing this with inadequate consultation with women's groups in Ontario.

I would like to use this opportunity to draw to his attention and to the attention of members of the Legislature that I, as spokesperson for my party on this issue, will be extremely upset if, in the course of bringing forward this additional legislation in the area of family law, the minister does not make a greater effort to see there is adequate discussion and consultation with very significant women's groups that are concerned about the issue of access enforcement.

The other matter I would like to mention at this point is that it contains the same clause this party has found objectionable through two rounds of family law reform, and that is section 4, which amends section 62 of the act. Subclause 62(1)(r)(i) alludes to a course of conduct by the spouse during the deceased's lifetime that is so unconscionable as to constitute an obvious and gross repudiation of the relationship. I will once again, on behalf of my party, note our long-standing objection to that clause, but we will be supporting this bill.

Hon. Mr. Scott: I would like to thank the two members who have participated for their support of this rather technical, but none the less important bill. With respect to the comments made by the speaker for the third party, I recognize her concern about automatic enforcement and about any potential reforms in the access field.

I know something of her views on those two questions and I want to assure her that, on the first, we will move as expeditiously as a prudent, efficient and workable scheme will permit. On the second, we will consult as widely as we effectively can before proposals are made. In that connection, I invite her to share with me, on an appropriate occasion, her views on this very difficult, but none the less quite important subject.

15:20

It is a matter that does not concern every family unit and is perhaps an irritant in only a small proportion of families. However, when access is an irritant, both she and I know that whatever conduct may be responsible for that irritation can quickly produce serious, protracted inflammations.

With respect to her long-standing objection about the formula of words that has been used about unconscionable conduct, though only in the House for 16 months I have become quite familiar with her objection on that score. I understand its origin and its purpose. I note it and thank her for agreeing to consent to the bill, notwithstanding that long-held view.

Motion agreed to.

Bill ordered for third reading.

METROPOLITAN TORONTO POLICE FORCE COMPLAINTS AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 90, An Act to amend the Metropolitan Toronto Police Force Complaints Act.

Hon. Mr. Scott: This bill was introduced some time ago, and I have only a short statement to make about it at this stage.

This bill originated in 1981. Before 1981, if a citizen had a complaint about the conduct of the police towards him or her or other citizens, there were two avenues for the advancement and determination of that complaint. The first was to complain to the police force, which was almost invariably the police force about which the complaint was being made, and appeal from any determination made by the chief of that police force which might be adverse to the citizen to the board of commissioners of police of the municipality, if there was one, or to the Ontario Police Commission.

The other avenue of complaint was to complain directly to the board of commissioners of police of the municipality, which, if an investigation was required, had no alternative but to refer the matter back to the police department, whose conduct was not infrequently the very object of the complaint in the first place.

In 1981, because of a series of particular and unfortunate events in the municipality of Metropolitan Toronto, it was determined that the scheme was no longer an adequate assurance to members of the public that their complaints would be effectively, thoroughly and independently reviewed and that steps as a result of legitimate and authorized complaints might be taken.

Mr. Harris: I do not think there is a quorum present.

The Acting Speaker ordered the bells rung.

15:25

Hon. Mr. Nixon: On a point of order, Mr. Speaker: It is regrettable that something I have said has irritated the official opposition to the point where its members cannot effectively participate in the business of the House. If there is something I should do, some sword I should fall on or perhaps some rule I am not aware of, I would be very glad to accommodate the House leader for the official opposition who is sitting in lonely splendour.

If they want an adjournment on this bill, I would be delighted to accommodate them. I have a responsibility to call it; they do not. I am doing the best I can. We have significant legislation, in spite of the view expressed by the member and his colleagues, and we want to proceed with it. The last thing we want is an argument that is going to detract from the ability of the House to go forward.

I ask all members here to be as co-operative as they can and I promise we on this side will be as co-operative as we can. On the other hand, if the business is not going to proceed, perhaps we could have a vote on whether the House should adjourn. We feel it should not; we feel the business should go forward.

Hon. Mr. Scott: As I was saying, as a result of the events in the municipality of Metropolitan Toronto in 1981, it was decided that the existing situation could no longer be sustained. As a result, the Honourable Roy McMurtry, Attorney General of the day, introduced the bill which established the Public Complaints Investigation Bureau of Metropolitan Toronto.

It is significant and important to recognize that that initiative was taken with the full co-operation and support of the seven mayors of the municipalities that then made up Metropolitan Toronto. It was important and significant because the exercise was founded on a high level of co-operation among the police forces represented by the police board of the municipality in each case and the agency that was to be responsible for the supervision of complaints, then headed by Sidney Linden and now headed by Clare Lewis.

That experiment has not been without its difficulties, but all objective observers, of whom I am one, I hope, not having had any responsibility for the original legislation, will concede that on balance the results in the municipality of Metropolitan Toronto have entirely justified the experiment.

In my respectful view, which I know is shared by Sidney Linden and Clare Lewis, the strength of the experiment has been its optional nature. There will be some who say, with a good deal of logical reason, that the optional nature of the process that this bill contemplates as it moves from municipality to municipality is inappropriate and that the government should make a decision either to carry it to every municipality or to terminate the experiment.

Mr. Linden and Mr. Lewis believe, and I think experience justifies their belief, that it is the commitment of the municipalities and the police forces, which in a sense they represent, to

working the bill effectively, to working the process effectively that has produced the good results we have seen in Toronto.

15:30

On the other side, we know that on those few occasions when this level of co-operation is absent or lacking for whatever reason, at that moment the process shows whatever weaknesses it may have. Because of that, we propose in the bill now before us to move the office across Ontario at the option of each municipality. It is contemplated that if any municipal council believes the complaint process in its municipality can be enhanced by the mechanism this act contemplates, it will vote a resolution and seek the permission of cabinet to be included within the ambit of the act.

Frankly, cabinet's approval is required not because cabinet desires to restrain or prohibit a municipality that wants to opt in—we do not—but because the mechanism of the act which requires the opening of an office and the staffing in the municipality involves certain fiscal expenditures which are not insignificant. For example, if a small municipality with two police officers and perhaps only a few hundred people sought to opt in alone, cabinet might decide, as a matter of fiscal responsibility, that it would not be possible to permit it to participate in this kind of arrangement.

What we contemplate—this is the heart of the bill—is that it be optional. As experience has indicated, it works only when it is optional; it does not work effectively when there is a sense of compulsion about the application of its component parts. The restriction that cabinet's approval must be obtained is, in the sense I have described, an administrative requirement only.

In an amendment that has been submitted to critics on the other side, we also ask that the name of the office should be changed from the Police Complaint Bureau to the Public Complaint Bureau. That is a request the bureau itself has made and one that both I and the Solicitor General (Mr. Keyes) have agreed to, as has cabinet, because it has been made clear that the title Police Complaint Bureau somehow leads some citizens to believe it is a forum at which only police officers can be complainants when in fact exactly the opposite is true. This is a forum in which the public can complain about the conduct of police officers. It is believed by the current commissioner and by the previous commissioner that the change of name will more correctly represent to the public the work of the bureau and will be productive in that sense.

Mr. O'Connor: The Attorney General made reference to the opting-in ability of municipalities around the province at the pleasure of the cabinet—that is, subject to the approval of the cabinet—and said the reason therefor was related to cost. Can the Attorney General tell us whether he has done any studies in the area of cost and advise us as to the approximate cost of an average-sized municipality adopting the board?

It seems to me the cost would be almost minimal. There would be the ad hoc appointment of several people to hear complaints from time to time as they arise. There would certainly be no cost involved in setting up a permanent structure in each of these areas. In the smaller forces, it is anticipated that few, if any, complaints per year would be lodged, and as and when they are lodged, the administration of a hearing could be set up for that purpose. Therefore, the cost cannot be a significant factor in most of the municipalities, towns and cities around the province.

Hon. Mr. Scott: We have not done the kind of cost analysis the honourable member seems to contemplate, but as he will see, the act requires the opening of an office in each municipality. The opening of an office is one thing—it is important—and the act contemplates that the office will be staffed with at least one person so that a complaint can be dealt with freshly when it is made. It will not be useful to have an office in which no one is present and to which the door is locked if complaints are going to be received.

If an office is opened only for a rural municipality, it will be difficult to maintain a significant office. For example, in the township of Erin in the county of Wellington, a township that has several thousand residents, all of whom are law-abiding, the incidence of complaints about police is likely to be very small. If a municipality in the township of Erin desired to opt into the scheme, it would be administratively and fiscally expensive to permit it to do so. On the other hand, if the city of Guelph, adjacent to the township of Erin, opts in, it would be quite practical to run the office from the city of Guelph, which is only 10 miles from the township of Erin. That is the problem presented by the potential proliferation of offices, and this is the way we have attempted to respond to it.

Ms. Gigantes: Can the minister lay out in his own words for the benefit of the members of the Legislature exactly how this decentralized-centralized system will work? We are not talking about duplicating the existing system right across the province.

Hon. Mr. Scott: The general scheme is that the commissioner, who now is in Toronto, will remain the commissioner for Ontario with responsibility for any mechanism in any municipalities that opt in. When a municipality opts in and the cabinet approves its opting in, an office will open in that municipality that will be staffed to receive complaints. When a complaint is made to the office about an investigation, about the conduct of the police or about the adequacy of an ongoing investigation, it will be dealt with in the municipality precisely as it now is dealt with in the Toronto. The local police will conduct the investigation, with their work monitored by the local representative of the office in the municipality, subject to whatever assistance, if any, he desires to obtain from the central office.

The question of whether the police investigation is adequate or whether a staff investigation must be made will be made by the centralized office in Toronto after consultation with the representative of the local office on location. If it is decided an arbitration must take place, which is the ultimate process, we will maintain a rota of local arbitrators who will be nominated to deal with local cases. The administration for that part of the process will undoubtedly be centralized.

Mr. O'Connor: I welcome the opportunity to make a few comments with respect to Bill 90, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984.

Hon. Mr. Nixon: On a point of order, Mr. Speaker: I am sorry to interrupt the honourable member. I indicated when I read the orders we intended to do this afternoon that the Attorney General (Mr. Scott) was going to be joining the Premier (Mr. Peterson) in Vancouver. If there is some thought that the bill might proceed while he is here, I expect the debate to go forward. However, if it is the feeling that there will be a lengthy debate—I do not know whether it is in order to inquire about this—the Attorney General has indicated he will be glad to adjourn the debate and we can proceed with other business. He must go fairly soon.

Mr. O'Connor: Speaking to the point of order, I can advise that a considerable number of members of our party wish to speak on this matter this afternoon. My House leader has recently indicated there will be four, five or six. We might well take the balance of this afternoon. He is rounding them up right now.

As indicated in the previous exchange of comments by the two House leaders, we did not expect that Bill 90 would go forward this early in the afternoon. I believe my House leader is

currently advising the members of our party who wish to speak on the matter, and they are making their way into the House one by one. We will be speaking on this matter for most of the afternoon.

On motion by Hon. Mr. Scott, the debate was adjourned.

15:40

House in committee of the whole.

REGISTRY AMENDMENT ACT

Consideration of Bill 122, An Act to amend the Registry Act.

Sections 1 to 9, inclusive, agreed to.

On section 9:

Mr. Chairman: Mr. Kwinter moves that subsection 97a(2) of the act, as set out in section 9 of the bill, be amended by inserting after "subsection 14(2)" in the first line, "of this act and subsection 18(2) of the Land Titles Act."

Hon. Mr. Kwinter: This amendment ensures that regulations made by the director for the registration of instruments outside prescribed hours apply equally to land titles offices and to land registry offices. The Land Titles Act contains several cross-references to the Registry Act, particularly with respect to administrative matters in the operation of offices. This amendment ensures that the administrative flexibility with respect to registrations outside prescribed hours remains equal. It is a housekeeping amendment to make sure the two acts dovetail one with the other.

Motion agreed to.

Section 9, as amended, agreed to.

Sections 10 and 11 agreed to.

Bill, as amended, ordered to be reported.

TIME AMENDMENT ACT

Consideration of Bill 58, An Act to amend the Time Act.

On section 1:

Mr. Chairman: Mr. McClellan moves that section 1 of the bill be renumbered as section 1a and that the following section be added to the bill:

"1. Section 1 of the Time Act, being chapter 501 of the Revised Statutes of Ontario, 1980, is amended by striking out 'time reckoned as standard time' in the seventh and eighth lines and inserting in lieu thereof 'the time in effect as provided by this act.'"

Mr. McClellan: What is happening in this bill is relatively simple. Daylight saving time is being extended for an additional three weeks in April of each year, so that instead of starting in

the third week of April, it will start in the first week of April. The amendments I will be moving to this and subsequent sections of Bill 58 simply clean up the Time Act, make all the definitions consistent and implement an earlier starting of daylight saving time.

Hon. Mr. Nixon: I am the designated time critic, and I am glad to respond to the honourable member's initiatives in this connection. I was interested to read that one of the very useful effects of this accommodation to an initiative taken by the Congress of the United States of America will be that our stock markets will be not an hour out of sync with New York.

Mr. McClellan: My initiative was taken long before the Congress of the US ever dreamed of taking this initiative, as the Treasurer surely knows. The initiative was inherited by me from my predecessor, Michael Cassidy, who moved this on many occasions.

Mr. Chairman: Does the member for Brant-Oxford-Norfolk think this is an appropriate point of order?

Hon. Mr. Nixon: I am glad to be corrected in this, and if I had known where the real source of this initiative was, I might not have been so enthusiastic about having it go forward in this form.

However, it is correct, and I know the member who introduced the bill, whether it was in his mind at the time, would want us to be in step with New York. It would be too bad if the markets there opened an hour earlier or later than Toronto. As the financial centre of Canada, we want to be in sync with those. I know that if the member is not so concerned with that, Mr. Cassidy, who was for a long time a reporter for the Financial Times of Canada and is a leading proponent of a growing economy, would have been concerned about it.

The idea of an extra three weeks of daylight saving time in April makes a good deal of sense. I can recall the controversies over the span of daylight saving time in years gone by. It used to be argued by my constituents, the farmers, that the milk cows found it very confusing indeed. We were able to calm that difficulty by legislative fiat, and the cows' production did not suffer unduly.

The idea of improving the duration of daylight saving is important in that it means we will require much less electrical energy and may even save something like \$25 million worth of energy in those three weeks. There are other advantages. The main one is that this is a suitable vehicle for one of the more popular members of the House to

fly. The bill that is in his name is going to affect the lives of everybody in this province, we trust advantageously. I know for a fact his amendments have been carefully drawn and will mean the bill will be clearly understood by all who will be impacted by this initiative.

Normally, as a critic of the time area, I oppose what comes forward from the other side, but in this case the initiative is a good one. We intend to support the amendment, as I think we supported the second reading of the bill.

Mr. Eves: It is my pleasure to rise and to concur with the comments made by the two previous speakers. It is a very practical piece of legislation. I must compliment the member for Bellwoods on taking this initiative. I had the opportunity to discuss his amendments with him yesterday for a while, and it is going to bring this jurisdiction into sync with other parts of North America. I hope other provinces as well will support the initiative taken by us here in Ontario.

15:50

Mr. Chairman: Do any other honourable members wish to speak on this amendment? No.

All those in favour of Mr. McClellan's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr. Chairman: Mr. McClellan, you have a second amendment.

Mr. McClellan: Thank you, Mr. Chairman. There seems to be a bad echo in here. It must be from a previous vote. I have another amendment to Bill 58 and this is really the operative amendment that moves daylight saving time ahead in April.

Mr. Chairman: Mr. McClellan moves that subsections 2, 3 and 4 of the said act, as set out in the renumbered section 1a of the bill, be struck out and the following substituted therefor:

"(3). Daylight saving time shall be reckoned as one hour ahead of standard time.

"(4). The time in effect shall be,

"(a) daylight saving time during the period between 2 a.m. standard time on the first Sunday in April and 2 a.m. daylight saving time on the last Sunday in October; and

"(b) standard time during the rest of the year.

"(5). The Lieutenant Governor in Council may make regulations varying the reckoning of standard time and daylight saving time as fixed by subsection 1, 2 or 3 and varying the time in effect as fixed by subsection 4."

Do you have any statement or comments to make regarding that?

Mr. McClellan: Yes, thank you, Mr. Chairman. As I said, this is the actual amendment that sets the time for daylight saving time, changing it from the third Sunday in April to the first Sunday in April.

The Treasurer (Mr. Nixon) has already alluded to a number of the more obvious benefits to doing this. For the sake of the historical record, I refer to the report done by the National Research Council as long ago as 1981, which studied the question of extending daylight saving time and found a number of clear benefits and advantages.

The first one was the one the Treasurer made reference to, that there would be significant savings in electricity costs as a result of doing business during daylight hours in the afternoon as opposed to doing it in the darkness of the winter morning. Second, there are benefits in terms of reduced traffic accidents. Third, there are benefits of public safety. Studies done in the United States determined that the rate of crime in the streets has been reduced as a result of extended daylight saving time.

Mr. D. S. Cooke: It certainly does not help in Detroit.

Mr. McClellan: I guess Detroit is the major exception to that.

The Treasurer alluded to the concerns of the international capitalists that their money markets be synchronized and that the Toronto Stock Exchange not be out of sync with the New York Stock Exchange and that all these things be harmonized.

Unfortunately, the government focused in an excessive and narrowly concerned way on that last point and has resisted the opportunity to extend daylight saving time even into the beginning of March, where I think it should be. However, we recognize that compromises are necessary in order to move the Legislature forward even if it is only by three weeks, so we accept that in order to secure the passage of earlier daylight saving time reform it is necessary to be synchronized with the US.

For people who live in a cold northern climate, the principal benefit is really that we will have an extra hour of sunshine after work and after school rather than in the morning, so that people will have an opportunity to use their daylight hours for leisure and recreation. Instead of having the sunlight wasted on the early morning hours, there will be an opportunity actually to use it, not just by adults but by children especially.

The only other point I want to make, again for the record, is to point out that subsection 5 of the amendment I am moving gives the Lieutenant Governor in Council the fair and unequivocal power to make regulations varying the reckoning of standard and daylight saving time. I hope that in the future a government of this province will extend daylight saving time even to the beginning of March, where I think it should be, as does the National Research Council, so that our people who have to endure a long, severe and dark winter can, through the courtesy of their government, have the advent of spring even earlier than they are used to receiving it.

I want to thank the government House leader and his cabinet colleagues for taking the initiative in October to extend daylight saving time by calling my bill forward. I know the government House leader, having served for so many years in opposition, realizes that it is a great honour for an opposition MPP to have a private bill called forward. I am quite pleased this is happening. I also thank my Conservative colleagues for their support. I assume I have the support of my own colleagues in the New Democratic Party.

Hon. Mr. Nixon: I am delighted the member is pleased, if that is not too convoluted. I do not recall ever having a good enough bill to attract the attention of the government in years gone by. I am not sure they were entirely to blame for that. Normally, I used to resort to resolutions, which are not nearly so effective in that connection, to indicate a view and, with good fortune, the will of the House.

I want to say a bit more about the antecedents. I think that fast time, so called, was invented in Canada, which is quite something. It is an extremely useful tool to make available a much longer period of daylight for people who are working or, in the case of children, to enjoy life and go to school.

On a recent trip to the People's Republic of China, I was interested to note that in that huge nation, by fiat of the central government there is only one time zone. As the member will know, it is a centrally planned economy. Anybody who is discombobulated by this in any way can, of course, criticize the government. For reasons that are not entirely apparent, there does not seem to be any criticism, even though people get up in the middle of the night and go to bed when the sun is fully out because the centrally planned economy dictates it. In this jurisdiction, our main aim is apparently to coincide with initiatives taken by the great republic to the south. I find this a bit awkward, but since we do not want our

television programs to come in at odd times, this kind of harmonization is quite important and valuable.

I do not want to talk long about the usefulness of private members of the House bringing forward legislation that is passed into law. I do not see much wrong with it, but it was tried by a previous government going back a number of years, more than 60 years as a matter of fact. The government of the United Farmers of Ontario at that time found itself appealing to the parties in opposition to bring forward legislation. It was an attempt to strengthen in a substantial way the role of all members of the House and not to leave all initiatives to the prerogative of the government. I do not see too much wrong with that, although I suppose in the long run the system that has evolved over these years works reasonably well.

16:00

I am glad to balance it up—and I know this is not directly on the amendment—by advising that the member for High Park-Swansea (Mr. Shymko) had an opportunity to present another bill, which was of a different level of importance, but still much appreciated by people who were honouring Rick Hansen, and the Lieutenant Governor gave royal assent to the bill at that time.

I see my colleague the Minister of Transportation and Communications (Mr. Fulton) has been able to come back from an important meeting associated with his announcement of new legislation, which means I can stop talking.

Mr. Chairman: Is there any other honourable member who wishes to participate in the debate? If not, Mr. McClellan has moved an amendment to section 1. Is it the pleasure of the committee that the amendment carry?

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Nixon, the committee of the whole House reported two bills with certain amendments.

OFF-ROAD VEHICLES AMENDMENT ACT

Hon. Mr. Fulton moved second reading of Bill 18, An Act to amend the Off-Road Vehicles Act.

Hon. Mr. Fulton: This bill received first reading on June 14, 1985, and I support its objective. As was pointed out, the purpose of the bill is to extend to licensed trappers the same right to operate three-wheeled, all-terrain vehicles on the highway as is already enjoyed by

farmers. In addition, the bill contains an amendment that revokes the authority of municipal bylaw enforcement officers to carry out the provisions of the Off-Road Vehicles Act. The powers of arrest contained in the act are felt to be inappropriate to this category of officer.

Mr. McLean: Mr. Speaker, on a point of order: I think the House leader has us in an embarrassing situation here. We are having a problem. The agenda has been altered substantially. We had anticipated that the bill of the Minister of Community and Social Services (Mr. Sweeney) was going to be called next. We worked hard to get our critic here, and here we have another minister whose bill is called. We were not prepared for that bill. The House leader has put us in an embarrassing situation. Our critic is not here yet.

Hon. Mr. Nixon: It is certainly not my intention to put the honourable member and his colleagues in an embarrassing situation. I point out that the bill that is called is in Orders and Notices and the business paper for today, but rather than renew any controversy about these difficulties, which, I say again, have been shared by all three parties but principally by the government party, I am glad to move the adjournment of the debate. We can proceed with that item at a more convenient time, if one arrives.

On motion by Hon. Mr. Nixon, the debate was adjourned.

HOMEMAKERS AND NURSES SERVICES AMENDMENT ACT

Hon. Mr. Sweeney moved second reading of Bill 113, An Act to amend the Homemakers and Nurses Services Act.

Hon. Mr. Sweeney: The purpose of this bill is to enable us to provide an expanded range of homemaker services to the frail elderly and handicapped adults in this province.

Members of the Legislature will be aware of that the thrust of this government is to provide increasing opportunities for such frail elderly and handicapped adults to stay in their own homes and communities as long as possible, rather than to be moved to a facility or institution. This serves two purposes: first, it retains the independence and autonomy of these citizens as long as possible; and second, it is a more effective use of the financial resources available to the government.

Operating under the jurisdiction of the ministry act, we have already begun to move in this direction. In January, I announced six sites that

are currently operational and, more recently, I announced 10 other sites that will be operational by January 1987. These have been well received indeed.

There are three initiatives in this legislation. The first one is to make it possible for homemaker services to be made available through this program to the frail elderly and the adult disabled without charge. Members will be aware of the fact that there are already in existence, and there will continue to be in existence, two other programs to provide homemaker services: one through the Ministry of Health's home care program and one through my ministry's program. They will both be in effect for those persons who cannot qualify under this program. This is an additional program, and it is to provide services without charge.

The second initiative is to make it possible for us, by including some Ministry of Health programs, to be eligible for cost sharing through the Canada assistance plan with the federal government. That is not now possible through the Ministry of Health.

The third initiative is to allow us to increase a range of services to the frail elderly and the physically disabled so that we can more effectively use the resources. For example, if it becomes evident that Meals on Wheels is really what a person needs rather than increasing homemaker services, then we can substitute Meals on Wheels.

I am pleased to join with my colleagues in the other parties in debating this legislation and, I hope, getting their support to pass it.

Mr. McClellan: Before we get to committee stage, one of the things I would like to ask the minister—and I have lost my copy of the bill already—is with respect to the provision-of-services clause of Bill 113 that authorizes the minister to provide for the furnishing of services by such persons or organizations as the minister may approve. Why is there no reference to profit or nonprofit in that section?

My understanding of the traditions of the Ministry of Community and Social Services is that it has always tried as much as possible—and, in fact, there are some very clear policy directions of the ministry—to rely on nonprofit organizations for the provision of social services. I am concerned that this section of the bill, which has no reference to the provision of homemaker and nursing services on a nonprofit basis, will open the way to an extension of for-profit care in a field that hitherto has been the domain of the nonprofit sector.

16:10

I am sure the minister knows my views without my having to express them, but before we get into further debate, perhaps he could tell me whether I misunderstand the intention of the act. Does the ministry intend to use for-profit, free-enterprise organizations and companies to provide homemaker and nurses' services or does he intend to keep it in the nonprofit sector?

Hon. Mr. Sweeney: The honourable member does not misunderstand the legislation. We have very clearly indicated that our preference is for nonprofit services. However, we have not designed the legislation in such a way that this is a requirement.

It is possible for municipalities, for example, to contract with commercial agencies to provide the service. The only circumstance under which I can see that would likely happen is if the available nonprofit services in the community were so expensive as to be out of range of the dollars made available to the municipalities. The use of for-profit organizations is possible. It is not the intent to move in that direction in the first place, but it is possible.

The Acting Speaker (Mr. Callahan): Are there any questions or comments by any other members? The member for Kitchener.

Mr. D. S. Cooke: I am not the member for Kitchener. You are looking at the wrong party.

The Acting Speaker: I am sorry, the member for Windsor-Riverside.

Mr. D. S. Cooke: If the minister's comment in answer to my colleague the member for Bellwoods (Mr. McClellan) is correct, why did the homemaker services in his own home community get carved up in such a way that Red Cross—

The Acting Speaker: Order. The minister has responded to the question asked, and it is now the turn as taken by speakers.

Mr. McClellan: On a point of order, Mr. Speaker: This is the second time the chair has fouled up the procedure this afternoon. It is only the first time you, personally, have fouled it up but it is the second time it has happened this afternoon. I suggest that people review the standing orders.

The Acting Speaker: Does any member wish to dispute the ruling of the chair?

Mr. Foulds: On a point of order, Mr. Speaker: What is the ruling?

The Acting Speaker: The ruling, as I have stated.

Hon. Mr. Nixon: If I may be of some assistance, it was the Speaker's view that the comments had been completed and that the minister had his minute or something to respond.

It was then that the member for Windsor-Riverside (Mr. D. S. Cooke) got up with additional comments. I am sure the Speaker might be flexible enough to allow the additional comments to be made or it might even be worth while for the member to make a speech on a fuller basis on this bill. Otherwise, it would seem to be insoluble, but I hope we are not looking for a challenge to the chair.

Mr. D. S. Cooke: I tried to stand up but the minister quickly stood up to answer the question of the member for Bellwoods before other members had an opportunity to ask questions. That was the difficulty.

Mr. McClellan: I rose only to point out that it was the second time this afternoon that the Speaker recognized the minister before allowing other members the opportunity to ask questions. I simply bring to the chair's attention that all members are allowed to ask questions within the time frame set out in the standing orders, if I could only remember how long it is.

The Acting Speaker: Your comment is noted. Members should rise more quickly to address questions to the minister.

Do any other members wish to participate in the debate?

Hon. Mr. Nixon: With all the goodwill that is apparent in the House this afternoon, the Speaker might be persuaded to permit a further question without allowing the parliamentary system to totally disintegrate.

The Acting Speaker: Is it agreed that the member should have an opportunity ask a question? Agreed.

Mr. D. S. Cooke: Directly upon the question asked by the member for Bellwoods, I would like to ask the minister why, if the emphasis is on nonprofit delivery of services, did the delivery in his home community get confused and mixed up between Red Cross and a series of private deliverers, when Red Cross was more than willing to provide the service for the whole community but was told it would be fair only if it were divvied up between the private profit companies and the nonprofit Red Cross?

Second, can the minister get for us the information on how many times the pilot projects that now exist have had to shut down intake because they could not get enough people to

work for them at minimum wage, and how does he plan to resolve that problem?

Obviously, this piece of legislation is going to be somewhat meaningless if we continue to base it on minimum wage, whereby the majority of the subsidy is really not coming from the ministry under these circumstances; the majority of the subsidy is coming from the employees because they are working at such low wages. I am told the turnover is as high as 100 per cent, 111 per cent in some cases, because of the very low rates of pay. I am also told that, in addition to the minister's home community, they have had to shut down the intake in Thunder Bay because they cannot attract enough employees.

Hon. Mr. Sweeney: Are there any more questions? Is it all right for me to get up?

Mr. Speaker: Order. I understand there was consent of the House to allow the member for Windsor-Riverside to speak after the minister responded. The minister may respond and then we will go on with the debate.

Hon. Mr. Sweeney: I have already indicated to the previous questioner that the local municipality in this case, as the agent, has the authority and the right to decide to whom it is going to contract out. We have clearly indicated we would prefer that it be a nonprofit agency, provided the fees the nonprofit agency was prepared to charge were reasonable.

The only reason I say this is that in one particular case the nonprofit agency somehow got the idea it was the only one that could be used and literally doubled its fees overnight. When the municipality contacted us, I indicated that no, it was not bound to use only that agency; it could then put it out to tender and see who in the municipality might be available.

With respect to the second question, I do not know the answer to that. I do know, however, that this is happening, as the member has indicated. I have discussed the issue with my colleague the Treasurer (Mr. Nixon). The member will be aware of the fact that, in the most recent announcement, we have put \$12 million into the program. When it is fully implemented in another few years the annual cost will be \$60 million. It is not an inexpensive program, but the decision we are obviously going to have to make is how to distribute those dollars to serve the largest number of people. That is the delicate balance. There is no question that if the wages paid are too low and if one cannot attract providers, then obviously one cannot offer the service.

On the other hand, if the total dollars available are made available in higher wages so that one can therefore service fewer people, that is not desirable either. Thus, there is a delicate balance towards which we are attempting to work, and the only thing I can say—

Mr. Speaker: The minister's time has expired.

Mr. Cousens: In speaking to Bill 113, An Act to amend the Homemakers and Nurses Services Act, an important statement is being made by the government to extend and expand important services for the frail and elderly in a way that allows them to be covered where, at present, they are not covered by existing services.

I do not think there is anyone who does not see great merit in this. The long-term objective of the people of this province has to be to expand those services as much as we can. From my travels through the province as chairman of the Progressive Conservative task force on human and social services, I have no doubt that government has an increased responsibility to those people who would otherwise have to be placed in institutions or leave their homes or apartments or present whereabouts to receive the kind of help they need. We are moving in the right direction with this bill.

16:20

This program was first introduced in 1983 by the previous government. It has since been built up and expanded in a positive way. It combines a number of important things. Now we are able to draw upon some of the cost-sharing benefits from the federal government through the Canadian assistance plan. That makes good sense. We have to combine the services and resources of all governments so that they get to the people who need them in our community.

I am pleased to see it begin to develop. I am also aware of some of the problems that are starting to emerge as we expand these services within our communities. I would like to touch on what some of those are, having already been in consultation with some of the first places that have had this expanded service.

The first point I would like to make is that some people are still falling through the cracks when it comes to receiving the kind of help they need. The definition does not necessarily include those people who are frail and elderly and require light housekeeping help. A person who has had a heart attack and has great problems with any physical exertion may well not be covered by the services that are being provided by this umbrella. If there was some way in which those people

could receive light housekeeping services under home support, that could be the help they require. This is not currently being addressed.

When we are talking about cracks, we are talking about the plethora of programs provided by five different ministries. I may not have the count correct, but there are about 25 different programs for seniors provided by five different ministries and there is an increasing problem. When people have a difficulty, to whom do they go?

I am not sure the Minister without Portfolio responsible for senior citizens' affairs (Mr. Van Horne) has any real control or influence over what is going on. It does not filter down to the community level, where people who have a need or require a service do not know where to turn. That is a problem. If they knew, they might well say, "I qualify for this." Even doctors and some of the social workers do not always know the extent of the services that are available.

I have touched on two points. First, we are not necessarily covering all the people who might be covered. Maybe the minister will have an answer to that in addressing this need. The second is the whole business of providing for all the people and their needs.

Under the whole integrated homemaker plan, there is a definite need to expand on the criteria that will be used for this. It could well be that in some cases we will get the investment back. We can help that frail or elderly person just by having a good social worker guiding and counselling them, giving them hope, courage and some sense of self-confidence through that daily or periodic contact which may not currently be included in the program.

One may also want to have nutritional help. The extent to which nutritional guidance is available through this program is also in question. One level is Meals on Wheels, which we know answers an important need. Others just need to be reminded of the very fundamental nutritional topics that can help them be healthier by making sure their diet includes the right ingredients.

Not that long ago people were criticizing the government for advertising a program, but sometimes one has to put a dollar into advertising certain programs to tell people what is available and make them aware of it. I am not sure we have been promoting all the programs as effectively as we could so that seniors are aware that these programs are free of charge, as is this one.

I do not know whether the members are aware that there are people who are frightened of certain

services given by the province because they think they are going to get charged indirectly, that it is going to come out of their taxes or that there is going to be an extra tax. They do not believe some of these services are actually being made available to them. This is an amazing thing but it may well be that their background is such that they do not fully appreciate the comprehensive programs we in Ontario try to provide for our seniors.

There are people who are reluctant to take advantage of these services. It is said they are free, but they think there is going to be some hook, something that will come back on them. That has been the experience with some of the poor and elderly who have already been in the program in some of the communities in which we have tried it. There has to be a selling and an explanation, an introduction of the program so that when seniors or the frail participate, they are not threatened and do not feel it is going to take away any other rights at the same time.

I am concerned that these people might well be from non-English backgrounds and that because they speak other languages they have not had the insights. Some seniors who are by themselves may speak different languages than the two official languages the government has in Ontario. They might speak Italian, Hindi or other languages. There should be an explanation, at least an introduction, so that people can receive help.

With lack of action by the government, I am worried about the extent to which homemaker services are going to be on hand to provide the level of service we require. A few weeks ago in question period, I asked the Minister of Community and Social Services some questions on the experiences of the Red Cross and its funding of home support programs, something that has not been forthcoming from this government.

These are volunteer social service agencies in our communities across the province. Approximately 30 of them are not getting their money. Maybe the money is coming now or they know it is going to be available. They are paying out large sums on their own and this is creating increased deficits. The costs are becoming a heavy burden. Some of them are facing bankruptcy. Some of them have such debt with the banks that they do not know what to do.

I have the statistics and data for some of these agencies. This has to be a concern when, through this legislation, we are expanding services and at the same time there is not necessarily a commitment by the government to make sure the money

is going to be there when the communities require it.

I will be interested if the minister will comment on the fact that agencies such as the Muskoka district branch of the Canadian Red Cross Society have high costs but not necessarily—I am not exactly sure whether it is one of the ones that have not had their money from the Ministry of Community and Social Services, but it and a number of others have worried about it. Some of them have not had it. I can get further data on this so that the minister can respond in greater detail.

The principle stands. Are there voluntary agencies providing home support services within our community that have not had their funding for this year? Have some of them not had an increase that begins to meet their needs; what they already have to pay out for salaries and services? It is becoming a problem for them. First, they do not get the money. Second, the money they get is insufficient to provide a salary or a range of financial returns to the people who are involved. It is becoming increasingly difficult to attract people to home support, to find people who are willing to work for the salaries that are being provided. This is primarily because of the money coming from the ministry.

In a letter to the Premier (Mr. Peterson) from the Ontario Association of Visiting Homemaker Services, this point was made with special poignancy. It says in the letter written by Dorothy Lamont, president of the association: "We have had to absorb substantial minimum wage increases—14 per cent in 1984—without acknowledgement of this in the hourly rate increases. This year we face a 100 per cent increase in the Workers' Compensation Board assessment rates and substantially increased insurance premiums."

The kind of burden that they are carrying is not recognized by the grant structure. The problem is that, without some modest provision for startup costs, provider agencies may fail in their efforts to implement the program to the satisfaction of the government.

16:30

I think one of the great benefits we have in our province is the commitment by the people at the grass roots to serve other people. In my travels across the province, through our task force, the most impressive thing I have seen is the genuine caring by people in homes for the elderly and people in the communities providing home care and home support. They care intensely that the

seniors they are trying to help—the frail, elderly and disabled—receive the very best of care.

Then at the end, after it is all finished and the day is over, in their exhaustion they say, “It is too bad we are not able to be rewarded according to our efforts in all that we are doing.” I have a feeling the Ministry of Community and Social Services is building this service on the backs of the very strained, hardworking, underpaid people delivering the service. That becomes a very important consideration now, as we are expanding the service and not in any way addressing the financial investment we will make as a province and as a government to those people in the front line.

One looks at the weekly take-home pay they are receiving. It says in this letter, and I cannot help but be sympathetic to the needs it is talking about: “Homemakers work approximately 20 hours per week. The average homemaker wage among member agencies is less than \$6 per hour, and for most homemakers, their weekly take-home pay is less than \$100.”

In spite of that, they are carrying out heavy loads of responsibilities to the people who need their help. Is it that too many ministries have their fingers in the pie? Is it because we are trying in this bill to see Community and Social Services become involved in the delivery of a service that ties into the Ministry of Health through the funding under the Canada assistance plan, even though it does not really necessarily have its hands around the total problem as it affects the delivery itself.

I am interested in the comments of the Minister of Community and Social Services on how he is addressing the obligations that the government has to fund properly, adequately and on time those services so that they can be undergirded and supported.

A number of other concerns I have have to do with one of the aspects of the bill itself. I could have asked it earlier. It has to do with clause 11(n) on page three of the bill. I am wondering whether the amendment or change the minister is making to the original bill in “prescribing services in addition to homemaking services that may be provided by persons other than homemakers to persons eligible for homemaking services under section 7a and prescribing terms and conditions that apply to the provision of those additional services” is taking certain services away from someone and giving them to someone else. I would not mind having an explanation of what he means by clause 11(n) as it is included under section 4 of Bill 113.

We are looking at an age in which we in Ontario have to give a special new emphasis to our seniors, so that we all become more cognizant of the importance of seeing seniors stay in their own homes, under their own steam, with their own self-respect intact and with the support services of all society helping them stay there as long as they can. In society, we have done an awful lot for our seniors.

The steps we are talking about in this bill take it one step further, to help fulfil the needs of those who do want to stay in their homes, those who are frail and elderly, and without cost to themselves so that they can at least continue to live with confidence. It means that not only are we going forward in a progressive way, starting off with six different areas and then expanding it to 10 more, but also it would appear the minister has the intention of expanding these services into new communities gradually, so that within a few years this will be serving all Ontario.

I would like to know whether the minister has any plans for the continuation of these services to other communities that have not already been listed. When does he plan to provide it to those remaining communities in the province? When will it come to Metro Toronto, to Ottawa and to Markham? When will all these communities fit into the jigsaw?

We respect the need for funds to do it. We respect the need to get people to provide those services. I know it takes time. However, if the timetable is defined and delineated by the ministry, then people out there in the province will know it is coming to them and there will be a sense of wellbeing for those who are in the professional business of serving the elderly to know: “All right, it is coming here. We had better start gearing up for it.”

The gearing up for it is necessary, because in some communities there are no homemaker services. The home support services are not readily available. There will need to be some kind of lead time for them to begin to prepare for it, so that they can start finding, identifying and training people and so that when the bill is fully implemented across the province, we will be in a position where those communities that do not have those services now can have begun to plan for them well in advance.

This becomes one of the points that makes for good government. It means people will not be surprised by quick changes. They will live confidently, with a sense there is someone watching over, preparing the way and planning, so that those who are in need in our communities

have a compassionate, concerned government that is trying to do its level best with the financial resources it has to do it. Therefore, the planning should be something that is more explicit and better known. We can begin by having one announcement that makes clear the long-term plans to implement this integrated program across the province.

What will happen otherwise is that the minister will at this rate be able to get a press clipping every six months as he has some more. Why not have one that lays it out, and when they come in we can see how they are going? Planning is what I am talking about. That would help others to be more effective in the delivery of that service. It has to do with the importance of the service being there for the people when they need it, quality service and quality, dedicated people providing for the needs of our elderly in our communities.

They are there now and they are doing a most admirable job. It is therefore incumbent upon the government to give them that encouragement through the facility of getting the money there when they need it, providing for the people as they really need it and filling the holes. If the light housekeeping, the social services, some of the nutritional health and some of these extra services are not being met by the general guidelines of the legislation now, the government should try to work them out, so that those who are on the receiving end will have someone to turn to.

The intent of the bill is admirable. It starts from the intent our government had when the Tories were in power. I am delighted it has been carried forward with the enthusiasm that the Minister of Community and Social Services and his ministry have tried to bring to it. I think it is going to work for the betterment of the people of our province.

It is in that spirit we will support the bill. In supporting it, we hope and pray it can be expanded to meet the needs and concerns we are trying to address this afternoon.

Those are a few of the points I want to raise. Underlying all my remarks is the concern that we, as legislators, must have for all the people of our province, a concern that goes to the root of their needs, understanding them as human beings who have made significant contributions to our society and as people whose needs now require us to give something back to them, so that their lives can be better and more wholesome and they are not under the threat of having to leave their independent lifestyles in their homes. That has to be implicit in our concern throughout this bill.

16:40

As legislators, we have to continue to build on these programs, giving that kind of respect to our elderly, our frail and those in our society who are deserving and who require more than a passing token of consideration. Our dedication to them must be greater than it has been. Through this kind of bill, we are showing we care.

I would be most interested to hear comments from the minister. I hope we can see this accelerated as soon as possible into all the communities of our province, so that all our frail and elderly are able to benefit from it.

Mr. D. S. Cooke: I am curious; I have had this question on my mind for seven or eight years. Why did the former government never deliver on its commitment when integrated homemakers' services or home care for the frail and elderly was first promised, I believe, in 1978? Perhaps the critic for the Conservative Party can answer that question.

Mr. Cousens: I think that is an important question. A number of other services were being considered. I am somewhat disappointed that the service was not expanded earlier. It takes a while to identify the need, and we were in the early stages when our government was beginning to recognize that one did not solve all the problems by institutionalizing people. During that period, home support services and home care were expanded in a significant way within our communities. By expanding those services, we were beginning to establish the networks that allow this kind of legislation to happen.

An evolution has been allowed. It takes longer to do these things than any of us wants it to take. If we are really anxious to serve the people of our province, we build a society with the proper services, so the expectation is that the people who are going to receive those services can receive them when they want them.

We built the system that now allows us to take it to the next step, that of providing these integrated homemakers' services. I see it as a progression and as an evolution leading to better care for our elderly in their homes. It has been quite a thinking process that has taken us from placing people in residences and homes to saying we want them to stay in their own homes, apartments or dwellings as long as they can and to asking what can we do as a society to help that happen. I see this as part of that progress.

Mr. McClellan: We in the New Democratic Party will be supporting the Act to amend the Homemakers and Nurses Services Act because it promises to provide some additional resources.

However, let there be no illusions and no confusion that this government has failed as completely as its predecessor to come up with a solution to the lack of integrated, community-based home care and home support services for elderly people, services which are essential to keep elderly people in their own homes in their own communities and out of institutions.

The United States is probably close to us, but compared to the European countries, we have a much higher rate of institutional incarceration of the elderly than other industrial democracies. The reasons for that are relatively simple.

When I was elected in 1975, which was not that long ago, it was the position of the government of the day that the provision of home support services, homemaker services and nursing services was fundamentally not the responsibility of the public sector. It was the responsibility of the voluntary, charitable, private sector, and philanthropy, charity, United Appeal agencies and services were properly the ways and means of delivering home care support services to the elderly.

The other problem that still has not been solved by this bill is the state of institutional, bureaucratic and administrative competition and paralysis between the Ministry of Health and the Ministry of Community and Social Services. We had a report in 1976 which became known as the Anderson report. The government House leader will remember it because his close friend, the then member for St. George, Margaret Campbell, was instrumental in releasing that report to the public.

It was a report done by the Deputy Minister of Community and Social Services on an array of problems with respect to residential services. It detailed and documented the fact that elderly people were being forced into nursing homes and into homes for the aged against their will because of the lack of community support services and because of the inadequacy of public pensions.

Strangely enough, that report, which also documented hideous problems in the area of children's services, became the basis for major reforms in our child welfare system which were implemented in 1977 and 1978. It did not take a decade for government to respond to the crisis in children's residential services.

The Minister of Community and Social Services sat with me in the standing committee on social development during the 1970s when we rewrote the Child Welfare Act, rewrote all the children's services legislation and integrated and consolidated all services to children in the

Ministry of Community and Social Services. He was part of that process during the minority government of 1975 to 1981, as I was.

Services to the elderly are a different story, however, as we can read in subsection 7a(2) of the act, as set out in section 4 of Bill 113: "The minister may designate the Minister of Health to provide for the furnishing of the services of homemakers by such persons or organizations as the Minister of Health may approve to such persons or classes of persons prescribed by the regulations."

That section tells us that this government, as did its predecessor, has failed to come to grips with the question of jurisdiction, responsibility and accountability. Its so-called solution to the problem is to share the responsibility between two huge, colossal ministries, two huge, colossal bureaucracies with their separate ministries, their separate sets of officials, their separate policies, procedures, traditions, philosophies, programs and personnel.

It is a recipe for fouling up and a recipe for confusion. It is also a recipe for another 10 years of paralysis, stultified growth, confusion at the community level and fragmentation of services. It will not be possible to put in place a coherent, rational, co-ordinated and integrated community support system for elderly people in Ontario because the basic problem has not been solved.

The problem has not been solved in the provision of residential services. Long-term residential care facilities are still split in responsibility between the Ministry of Health, which runs its empire of private enterprise nursing homes, and the Ministry of Community and Social Services, which supports an excellent network of municipal homes for the aged and nonprofit homes for the aged run by a variety of charitable, fraternal and ethnocultural organizations across Ontario.

16:50

We have two different ministries, two different programs and two radically differing standards of service. I believe the programs funded by the Ministry of Community and Social Services are, by and large, very fine programs. I also think the nursing home system funded by the Ministry of Health is a disgrace and an embarrassment to each and every member of this assembly. That we have anything to do with the maintenance and perpetuation of that system is a source of shame and embarrassment.

Yet this government, as I say for the third time, seems utterly incapable of cutting the Gordian knot of the territorial jealousy between

the Ministry of Health and the Ministry of Community of Social Services, which has bedevilled the provision of services to the elderly in Ontario for the past 25 years. There is no evidence or indication that this government is able to solve even such a basic and fundamental problem as rescuing children who have developmental handicaps from their incarceration in the Ministry of Health's homes for special care and putting them into facilities funded in the community by the Ministry of Community and Social Services. Even that relatively simple problem seems beyond the scope or capacity of this government to address.

The government has not come to terms with the question of long-term residential care. Once again today we have a piece of legislation that simply perpetuates the problem. We cannot share responsibility for the delivery of complicated services in a huge community such as Ontario, with literally hundreds of service providers, when the jurisdiction is split between two separate line ministries. It ought to be an obvious fact of public administration, and somebody over there—the Premier, the Treasurer or somebody—should grab the respective heads of those respective ministries and bang them together until they stop trying to protect their ministerial turfs, their budgets, their staff and their own petty little empires. The longer this territorial war goes on between these two ministries, the longer it will take before we solve the pressing problems that confront the elderly in Ontario.

The ministry has tried to set up a separate entity. I do not know how else to describe it. A member of the cabinet who at least seems to have some kind of responsibility for senior citizens—and I am referring to the member for London North—seems to have been unable to be any more effective than any other minister in any other government in coming to terms with this problem.

This so-called solution of splitting the jurisdiction between the two ministries is a cop-out. It is an abdication of responsibility by this minister, the member for Kitchener-Wilmot (Mr. Sweeney), and by the Minister of Health (Mr. Elston). They will regret that when they had the opportunity, they did not seize it and consolidate services to the elderly under the roof of one ministry, the way we did in the 1970s when we consolidated all services to children under the roof of the Ministry of Community and Social Services.

Until they accept that fundamental task and deal with it, we will have piecemeal services,

conflicting program philosophies and a level of chaos in the provision of services that is difficult to describe. It is difficult to describe a system where the Meals on Wheels program, funded by the Ontario government as an essential service to provide food to the elderly in order to permit them to stay in their own homes, is not available on weekends in most communities. Is it the understanding of the government that the elderly do not eat on Saturday or Sunday?

It is also beyond comprehension that Meals on Wheels services in many communities actually terminate for summer holidays. One assumes, therefore, that the elderly who depend on Meals on Wheels are supposed to stop eating during the summer holiday period.

It is grotesque. The system in Ontario in 1986 is literally absurd, and yet this government pretends that these cosmetics are substitutes for the development of a comprehensive co-ordinated system that provides community-based services on a continuum, from friendly visiting to visiting medical care.

If it were not so tragic it would be a joke, but it is not a joke. Members of my own family entered a home for the aged because, despite the presence of a central intake and so-called planning service in the city of Hamilton, there were no services for the frail elderly. That is the condition in most communities still in 1986, fully 10 years after the Anderson report, six years after Margaret Birch's white paper of 1981, and six years after the Ontario government promised that these services would be in place in time for the 1981 provincial general election.

The reason for the failure to develop the system has been the failure to deal with the conflicts between these two bully-boy ministries, the Ministry of Health and the Ministry of Community and Social Services.

As I said, we will support the bill because the bill will lead to the provision of additional resources and that is better than nothing.

Mr. Callahan: Caring resources.

Mr. McClellan: Inadequate resources for a fragmented system that will not do the job. If the member does not understand that, it is too bad. It is too bad for some of his constituents who will have to go into nursing homes or homes for the aged unnecessarily because of the failure of our society to provide essential community support to keep them in their own homes. I cannot begin to tell the minister how disappointed I am.

17:00

Mr. D. S. Cooke: I would like to comment on this for a few moments. Over the past few days, I

have been reviewing some old reports in preparation for the estimates that are to begin tomorrow on—I would not call it the ministry for senior citizens—the ministry without portfolio which has a minister with some responsibility for seniors. It has no budget or programs, but it has a name. I guess the minister is in charge of public relations for the government when it comes to senior citizens. That is really what it boils down to.

I read through Margaret Birch's report of six years ago. I read through the Liberal Party report that was done in 1983. I re-read our report that was done at the same time and I read this document, *A New Agenda*. Every one of these documents refers to a new agenda. The Birch report, I think, is called *An Agenda for the Eighties for Seniors*. I forget what the Liberal document was called. This one is called *A New Agenda*, with "age" centred out in it so that it somehow relates to senior citizens.

I have to say, and I think this is going a long way, that the document prepared by Margaret Birch in 1980 was way ahead of the report the Liberal government has prepared for 1986. This document, which is supposed to pave the way for the new approach to senior citizens, is an absolute failure. This legislation is one of the first initiatives coming out of this so-called white paper. The approach this document takes is to continue to rely on institutions. It talks about hospitals and the need for more chronic care beds, our nursing homes and how we are going to regulate rest homes.

The focus of this document is to continue institutionalization, and that is because the approach this government is going to take, and has been taking, is exactly the same approach the former government took. There is a philosophy that somehow there is a continuum of care. There are certain things a child needs. Then one grows up to be an adult; and when one becomes old and gets to a certain age, there is an assumption that (1) he is going to need to go into an institution and (2) his memory is going to go. That is the kind of approach this government takes and it is the kind of approach that, unfortunately, society has: that everybody who gets old has to end up in an institution.

In Ontario, as my colleague the member for Bellwoods said, we have the highest rate of institutionalization of any country in the western world, including the United States. It is amazing to think we are behind the US in one aspect of health care: we throw our old people into institutions and we do not think twice about it.

The reality is that this bill is not going to do one thing to change what we now do.

The services that are provided under Bill 113 in the integrated homemaker services program are not flexible at all. They do not provide the kind of care individual seniors need on the basis of individual needs. There is not the kind of flexibility that if someone needs seven or eight hours a day, five, six or seven days a week, the program is that flexible. There is simply not that kind of funding available.

I do not think it is going to be at all successful. This program is going to cost \$60 million when it is fully implemented across the province. The reality is that this is about the cost of two chronic care hospitals in the entire province. Do not tell me this is somehow a shift in responsibility or a shift of resources away from institutions to community-based services. The approach this government is taking is, as the group Concerned Friends of Ontario Citizens in Care Facilities said in its response to this white paper, just a few add-on programs that will have no substantial effect at all on how we deliver care or services to seniors.

I do not subscribe to the philosophy that was enunciated earlier this afternoon by the Conservative Party, whereby government or some agency should take some paternalistic view of senior citizens. That is not what they need. They need choices. When care is required, when a little bit of help or a lot of help is required, someone should be there to plug them into the services, and that is not provided in Ontario right now.

We do not need some social worker to go into someone's home and say, "I think this is what is wrong with you," or some doctor to make a diagnosis and say: "You know, you are 75 years old. I think you should go into a nursing home." We do not need that kind of approach. What we need are services so that when seniors determine they need services they can get access to them; not when government tells them they need the services, but when they as adults in our society decide they need them. The services should be there and seniors should be able to have access to them.

When one looks at the home care program that has existed for some time, I always find it amazing that if there is a shortage of physiotherapists, the first place where physiotherapy is cut out is in the chronic home care program. The chronic home care program serves senior citizens primarily. That says something about the approach we have to senior citizens. If there is a

shortage of a certain service, the first people who are cut out will be senior citizens.

The attitude of society and government is that it does not really matter because those people are old and they are not contributing to society. That is not my belief, but that is the attitude. They are old, they are not contributing to society and they will die eventually, so it really does not matter. Therefore, they are not a priority. That is a sorry attitude we have in our province, both in the current home care program and in our nursing home or chronic care system.

I am absolutely amazed that where this program has been put in place there is a reliance on the private delivery of health care through the private profit system. In the minister's own home riding, the Canadian Red Cross got part of the city and the rural area. The reason Red Cross always gets the rural area is that it is nonprofit and it will provide service in the rural areas, but it is the urban areas where the profit can be made by the private companies.

The private companies do not want to service the rural area because it is too expensive and there is not as much profit in it, but they will do the urban areas. They looked at the Kitchener-Waterloo and Cambridge area and they decided to cut it up. The private sector gets a certain area and the Red Cross gets the rural area and part of the city. Red Cross could have supplied service to that entire area, but it did not because it was not offered to it.

The minister can say that is up to the municipality, but the reality is that the bucks are coming from him. If the philosophy and the policy was nonprofit, that is exactly what would have happened; it would have been nonprofit. Then every buck the government was contributing to the program would have gone to serve the clients. Instead, the government built in the private sector, the profit sector. That means some of our very limited resources are not going to serve the seniors in that area. Instead, they are going into the pockets of the owners of these private home care and homemaker service companies.

I always thought the Ministry of Community and Social Services was much more progressive than the Ministry of Health in that area. I thought this government was going to be more progressive and rely on nonprofit, but here we are expanding the service and relying to a great extent on the private companies in Ontario.

If the minister feels that integrated homemaker services are going to be a substantial component of delivery of services in Ontario, then he has to

come to grips with the fact that \$60 million is not enough when it is all across the province. It is simply not enough.

We cannot rely on minimum wage and expect to get people who will be committed to the system and will be able to afford to stay in the system, get to know the clients and provide adequate service. It cannot happen at \$6 and \$6.50 an hour, which are some of the rates the government now pays to municipalities. Administration has to come out of that, so the employees end up getting minimum wage. As I said earlier, the turnover rate in some places is more than 100 per cent per year. We cannot expect to have quality service when people are so unhappy that they cannot stay there. They cannot afford to stay because we are paying minimum wage. If the service is worth delivering, it is worth paying for adequately. That means we have to raise those rates above minimum wage.

The other absolutely bizarre situation with the current homemaker program is that the rates vary right across the province. If it is worth \$7 in Toronto, it seems to me it is worth \$7 in Windsor. Why there is a variety of rates across the province is beyond me. I do not understand that at all.

It has resulted in the Red Cross having a deficit, which in some areas has now been resolved. I gather it has not been resolved in all the communities, but it has left a lot of people, both employees and clients, feeling very anxious, because they do not know what is going to happen. At one point, Red Cross was saying if this matter is not properly resolved, it will have to get out of the homemaker system in this province because it simply cannot afford to continue.

17:10

I encourage the minister to develop a province-wide rate that properly reflects this program as a substantial component of the delivery of health care and community services. If it is good in the community, then the rates those employees are paid should be comparable to what we would pay people providing the same type of service in the institutions of this province. We have to build in more flexibility, so there can be more hours of care and more hours of service delivered to people, if we are going to expect them to have the alternative of being able to remain at home.

Finally, I cannot believe this government is serious about changing its philosophy or the philosophy of the delivery of health care to seniors in this province until it starts looking at some of the other substantial alternatives, whether they be group homes, day care, day hospitals or something as simple as raising the annual grant

that goes to senior citizens' or elderly persons' centres in this province beyond the rate that I think has been in place now for 20 years without adjustment.

Unless we start building in some of those alternative services, so that we say to seniors who need assistance, "Here is what is available; now you choose," and give them a choice, the government is going to continue to have pressure from communities to get more chronic care beds, more nursing home beds and all the most expensive forms of institutional care.

The government cannot blame the communities for demanding more nursing home and chronic care beds, because they do not know what the alternatives are. There are no alternatives; they do not have any choice. The assumption now is that when somebody needs substantial assistance, the only alternative for him is nursing homes or chronic care. That is the way we think, because that is the way service has been delivered in this province for all these many years.

If the minister and the Minister of Health (Mr. Elston) were serious, they would take a look at the program that is now in place for handicapped individuals, the adult protective service workers; I believe it is under the Ministry of Community and Social Services. The individuals who work under that program act as advocates and as people to access services. They do not go to the clients and say, "Based on the disability you have, here is what we think you have to do." They say: "Here is what is available. Now we will help you plug into the services." They fight the bureaucracy and the red tape, and they get those services and keep people out of institutions. It can be done. It is a model that is already operating in the province. It is an advocacy program as well as an access-to-service program.

To have those kinds of people in place, not funded under the Ministry of Community and Social Services or the Ministry of Health but probably under an integrated advocacy program through the office of the Attorney General, would be a step forward in de-emphasizing the institutions in this province and providing the proper kind of community-based alternatives for which we in this party have been fighting for many years.

Every senior citizen I and I think the minister have talked to wants those kinds of alternatives. One day he is either going to do it or he is going to be forced to do it by pure economics. With a \$10-billion health care system in this province, \$11 billion now, we cannot afford these kinds of

services. Not only are they inhumane and not only do they take away people's independence and dignity, but also the current institutional programs are too bloody expensive. If not by reality and by the compassion of dealing with people appropriately, the minister is going to be forced by economics.

The choice is to do it now in a planned way, or to do it in 10 years in a rapid, crisis way when the health care system is completely out of control in terms of cost. I think all of us would like to see him do it properly and to have it properly planned. We have had the experiments. They have been tried. We know they work. All it takes is a government with the guts to challenge the institutional system we now have in place and all the self-interest that currently exists in the system, to change that system and to redirect the resources we now have.

Mr. Foulds: I had not planned to enter into the debate, but I want to enter it very briefly, partly to emphasize the points that have just been made by my colleague from Windsor-Riverside. I think it is extremely important to understand that homemakers' and nurses' services in the home have to be the way of the present and the future. I think it is absolutely essential to understand that when it comes to the care of the elderly, we can no longer continue to rely as totally as we have in the past on the institutional models we have developed, both in the health care system and in the community and social services system.

I think both of those systems have delivered good care of a particular kind, but they have not delivered, and we as a society have not yet developed fully the systems to develop, the kind of care and the delivery of care that we should in the home. I am thinking particularly, if I may say parochially, of my community of Thunder Bay. The minister knows—I have had correspondence with him and I will continue to do so—that Red Cross has tried valiantly to provide a homemaker service there and simply has not been able to provide the kind of service it would want to provide.

I heard the minister earlier in the debate say, "We have to trade off wages against providing more service." I do not think we should ask the men and women who provide the homemaking service to subsidize the service by working for minimum wages. They provide good care, they provide an essential service and they provide a service that gives dignity and help and hope to people who want to remain in their homes, whether those homes are individual houses or whether they are apartments.

In Thunder Bay, the Red Cross homemaker service wants to provide wages to its employees above the minimum wage, but at the hourly rate the ministry currently provides to the agency, it can barely do that.

I heard the minister say this is not an inexpensive item. He is right. I think he mentioned a figure of \$12 million, escalating to about \$60 million when this plan is fully in place. That is not cheap. That money does not grow on trees. I understand that and I agree with it. But when you stack it against the \$11-billion budget of the health care system and the \$3-billion or \$4-billion budget this ministry has, it is not a lot. It is the most economical way, as well as the most humane way, to deliver service to elderly persons when this is an appropriate service. There are many times when all of us, as members and as a society, are under pressure to find more chronic care beds.

We do need more chronic care beds, but we could avoid the misuse, if you like, of hospital beds, chronic care beds, and even what are now some necessary placements in homes for the aged, if we could provide more capable, more fully developed homemaker services. I know the minister, as a person and as a minister, understands that. I would like him and the Treasurer (Mr. Nixon) to pay attention to the fact that the best way to develop this kind of service in community terms, in health terms, but also in fiscally responsible terms, is by providing a decent budget to these agencies that are providing home care and homemaker care and by making sure the kind of wages they are able to provide are the kind of wages that keep people working, so that the turnover is not, as I believe it was in Thunder Bay in one year, 100 or 110 per cent.

We have to say, "Yes, the \$12 million we are spending is a lot of money, the \$60 million we will spend is a lot of money, but let us provide that because it will save us hundreds of millions, if not billions, on the institutional care package."

17:20

Hon. Mr. Sweeney: The comments by the member for York Centre (Mr. Cousens), the member for Bellwoods (Mr. McClellan), the member for Windsor-Riverside (Mr. D. S. Cooke) and, finally, the member for Port Arthur (Mr. Foulds) very much reflect my own sense of where we have to go. I did not hear from any of those members a single comment with which I fundamentally disagree.

Let me, therefore, simply say that as much as I, like they, want to reach that point in terms of

services to the elderly—and members will all realize this includes services to the disabled as well, but most of the remarks were geared to the elderly, so I will try to respond in like manner—there are a number of different options that are going to have to be put forward. This program is simply one of them. I think it is important to realize that this program by itself cannot do all of the kinds of things that all four members who spoke say should be done, and with which I agree.

First, this is intended simply to be one of the planks to a total platform of elderly services. This is intended to be the beginning of what I believe all four members spoke to, a comprehensive program at the community level that will truly be an alternative to institutionalization, but by itself it cannot respond to all of those.

There were references to different kinds of financial resources for the elderly—pensions, for example. There was reference to their being able to get around the community—transportation facilities. There was reference to other services being available to them—leisure kinds of services. All of those are valid, but they are not intended to be addressed by this program. That is my first point.

The second point I make, and much along the same lines, is that this integrated homemaker program is intended also—and I believe the member for Bellwoods particularly addressed this point—to be the beginning of a single, comprehensive program that will recognize there are a number of ministries now involved. It is the beginning, surely, between the Ministry of Community and Social Services and the Ministry of Health. At present, both of those ministries deliver homemaker programs and they deliver them from different perspectives and with different criteria. Therefore—and I am not disagreeing with the member for Bellwoods—what I am trying to say is that this is the beginning of beginning to resolve those differences. By integrating and co-ordinating and having a single delivery system for homemaker programs between the two ministries, we are beginning to meet his own suggestion of an overall, comprehensive community support system, with which I agree. There is no quarrel with that. However, we have to begin somewhere.

The other point I make is with respect to that overall, comprehensive system—and the member for Windsor-Riverside referred to the program and referred to tomorrow's estimates—the program of my colleague the member for London North (Mr. Van Horne), the Minister without

Portfolio, who was given a special responsibility by the Premier (Mr. Peterson) for senior services. His responsibility was not to deliver programs. His responsibility was to do an overview, to get out into the communities to talk to seniors, to talk to the providers of services for seniors and to find what in 1986, 1987 and onwards, were the best ways to meet their needs.

The member for Windsor-Riverside made reference to another study that was done in, I believe, 1980 or 1981. He indicated that was superior. It may very well have been, but I would point to the member that nothing came of it. It was a lot of words. One of the things the member for London North did when he went out to the various communities across the province is that he said, "Let us come up with some recommendations we can actually begin to implement."

This program is one of those. This program is one by which we begin to implement the direction in which we want to go. Nobody in this House, surely, would suggest it is the answer to all of those needs. It is not. It is a very small beginning. I appreciate that, I recognize that and I admit that is what it is, but it is a beginning.

Quite frankly, one of the suggestions that was made to us earlier was, "Let us wait until the study is all done, some time in 1987 or whenever it happens to be." We indicated, "No, we want to make a beginning."

As several members have indicated, this proposal or a variation of this proposal was on the shelf of the previous government for quite a number of years, going back I believe to 1978 or 1979, but nothing was done with it. When this government took over, this was one of the early initiatives we wanted to move on. We recognized it had been lodged by the previous government with the Ministry of Health and nothing had happened with it. There was a discussion between our two ministries and a decision was made that it should now be taken over by this ministry and action should actually begin. That is where we are.

What we want to end up with, and several members have spoken to this, is a one-stop service centre for seniors, a single place, a single service that they can access, whereby their needs can be assessed whether they are self-recommended or whether they are recommended by their families. Their needs can be assessed and the range of services that are already available can be made known to them, a decision can be made, access to that service can be provided and a follow-up assessment can be made from time to

time, so that as needs changed, services would change.

This, again, is only a beginning in that direction. It is a beginning for that one stop, that one window, as the expression has often been used by different members. At present, it has been indicated that at least five different ministries of government are offering significant services to seniors. We want to pull those all together. Whether that means there is going to be a single minister responsible for all senior services, I do not know. I cannot answer that question at this time. That may very well be desirable. But I would suggest to the members that in the long run, or quite frankly in the shorter run, it is going to be more important to have a single delivery mechanism at the local level than to have a single ministry responsible for it.

I suggest that if I had to make the choice between the two, it is the local delivery system most seniors are going to be most concerned about. I think they are going to be somewhat less concerned about the administration at the parliamentary level here, the Queen's Park level or the governmental level. Again, this is an attempt to move in that direction.

The suggestion has been made that this does not do very much. Let me suggest it does meet the needs of a number of people whose needs could not previously be met. As members will be well aware, under the Ministry of Health program a medical need had to be established before homemaker services could be made available. Under the integrated program, that will no longer be necessary.

Under my ministry, a financial needs test had to be borne before homemaker services would be available. Under the integrated program, that will no longer be necessary. While those two other programs remain in place for those people for whom they meet the needs, this new program will begin to meet the needs of another whole spectrum of seniors out there who cannot be served with existing programs, so it does begin to meet those needs.

17:30

The member for York Centre (Mr. Cousens) referred to the fact that there are still cracks in the program, still needs that are going to be unmet. I remind him that this homemaker program is only one. The home care program to meet medical needs is still in place. The home support program to meet another range of needs is still in place. In the last budget, an additional \$11 million was put into the home support program.

The member made a specific reference to the fact that subsection 7(4) of the bill introduces a new clause (n), in which there is provision for a further range of services. Some of the areas that have already begun to offer the program have come back to the ministry and said they would like to expand the scope of the homemaker program to offer a further range of services, and we are prepared to take a look at that.

They are also coming back to us saying they are beginning to discover they are supplying homemaker services to people who need other kinds of services. Instead of having homemaker services five days a week, another service would meet the needs better for, say, three days a week and homemaker only two days a week. The intent of clause (n) is to provide greater flexibility to begin to meet the different kinds of individual needs.

I believe it was the member for Windsor-Riverside who spoke specifically about tailoring individual programs to individual needs. This legislation and what will follow is designed to move in that direction and I have no disagreement with that. We are not trying to say: "Here is a single program and everybody has to fit in it. If you do not, too bad." What we are trying to do is expand the flexibility that will be available at the local level. We very much want to provide every possible option for seniors and their families to remain in the community, in their own homes, as long as they wish to do so, as long as they are able to do so and as long as we can supply the range of supports to assist them to do so.

If at some point it is determined by everyone involved that the best thing for them to do is to move into a home for the aged, that will be available as well. We are going to be sure that infrastructure remains in place and provides good service, but it will be absolutely the last resort, both in terms of what we hope to be able to provide in the range of services and of what we understand seniors and their families want to have available to them.

I could point out to the members that we are beginning to see signs of that happening. In the past year, the average age at which seniors in this province are going into homes for the aged is 85 and 86. That is considerably extended over what it once was, and we are beginning to see it happen. I will not be at all surprised if in the next two or three years, we will see that up around 90, and moving on. Will the day ever come when we will not need homes for the aged? I honestly do not know, but it seems we are going to continue

to need them for some time. They will be there and service will be available for them.

The member for York Centre made reference to the fact that we should do more advertising. We have only one advertising budget in our ministry and that is for foster parents. I have never asked a lot of questions about that, but I can only conclude that the range of services and the range of people our ministry serves do not need much advertising. The need is out there and we seem to be scrambling all the time to try to meet it. We do not have to go out and look for more people who need our services. The member may have been speaking more to the idea of being sure that people understand what is there and that they can take advantage of it. I certainly want to take a look at that.

Reference was made by at least three members to the present situation with the Red Cross. I have met with representatives of the Red Cross, as has my colleague the Treasurer. We have had clearly explained to us some of the problems they are having at the present time. It is mostly a financial problem.

We have agreed with them when they drew specific needs to our attention. The increase in workers' compensation premiums, the increase in the minimum wage and the increase in insurance are issues we definitely will look into. As a matter of fact, I already have a submission before Management Board to get additional funds for the first two of those, the increase in the minimum wage and the increase in the workers' compensation premiums. I have reason to believe that will be successful and we will immediately pass on those additional funds to organizations such as the Red Cross so that they can meet that need.

The member for York Centre also asked when the expansion would be effected to other areas. It was our intention when this program began to have it over the whole province within a five-year period. We are still in the first year; initially, we allocated six sites and more recently we allocated 10 sites. I have no doubt whatsoever that we will be able to complete it within that five-year period. If we are able to do it sooner, I will be just as pleased as I am sure most other members of this House will be. That is our tentative timetable.

We have a long list of applications from municipalities that are ready to go and that are quite willing to take on this program, because they see it as a definite addition to what is being offered at the present time. Many people in their communities who cannot get service now will be

The one problem I have in the bill is not serious but it is something I have been complaining a bit about for many years; that is the use of these off-road vehicles in municipalities, in urban communities. The thing that has been done in this bill that does not help urban communities at all is the removal of the right of bylaw enforcement officers to police this.

In a community such as my own, the city of Toronto, the community of Mississauga, Kingston or wherever, many of these off-road vehicles are used on side streets. It is against the law, but they are used on side streets. They are used in public parks, on public property. In most communities, bylaw enforcement officers are used to supplement the work of the police forces. It is very difficult for a police officer in a cruiser to apprehend a young kid on a three-wheeled, off-road vehicle travelling through a public park. It would be rather ridiculous to have a police chase on a motorcycle or in a car. In many cases a bylaw enforcement officer can identify the vehicle, make a visit to the home and the parents, and the child will be properly chastised for doing this.

I can appreciate what is being done. We cannot have bylaw enforcement officers arresting people on main highways—I understand that—but there is some value to having them in urban communities, where there are many offences of this type.

It is not a small thing. It is perhaps something the minister can address in the future, something to assist municipalities to control the off-road vehicles within their boundaries. They can be a great annoyance. When one sees a dirt bike go across one's freshly manicured lawn, it makes one wish there were some way to control these people.

I congratulate the minister for taking the excellent advice of the member for Dufferin-Simcoe and bringing forward this bill, which it was not necessary for him to do, because it was by no means in the accord.

Mr. Breagh: I want to indicate our support for the bill. Many of us know, from a municipal government's point of view, this can be a rather vexing problem. In many of our municipalities, there have been difficulties in regulating. The purpose of this act is to try to get a law that is enforceable. Surely that should be seen as a worthwhile task.

There are a couple of other areas where there is a need for the law. In many of our municipalities, there is great difficulty in enforcing any of the municipal bylaws that might concern these types

of vehicles. In many other areas, in the northern part of the province, where off-road vehicles are the only practical mode of transportation, and in many of our rural areas, where they are used extensively, it also becomes important that this type of vehicle can be effectively regulated.

There are continuing sets of problems. The purpose of the act, and it is a short one, is to make sure that laws in Ontario can be enforced. That is commendable at any time. Although this is not a major problem in most of our municipalities, it is a particularly vexing one. Anyone who has had complaints in his constituency office will know that this can be one of the most difficult things to try to resolve. For practical purposes, it can become a very difficult thing to enforce. This act should make local traffic bylaws and provincial laws somewhat more understandable to the public at large and somewhat more enforceable by enforcement officers. Therefore, we support the motion.

Hon. Mr. Fulton: I welcome the participation of my two colleagues and I particularly welcome their endorsement of this bill.

Mr. Breagh: It is too bad it does not cover the GO train to Oshawa. I would have made a longer speech.

Hon. Mr. Fulton: It has nothing to do with the GO train to Oshawa.

I will take their comments and suggestions under advisement to see how we can collectively address the matters they raised. We will pursue those on another day.

Motion agreed to.

Bill ordered for third reading.

ONTARIO LOTTERY CORPORATION AMENDMENT ACT

Hon. Mr. Eakins moved second reading of Bill 115, An Act to amend the Ontario Lottery Corporation Act.

Hon. Mr. Eakins: I want to make a few comments in moving second reading of Bill 115. When I introduced this legislation on July 3, 1986, I described the intention of these amendments. I would like to review a few of these points at this time.

These amendments will prevent individuals from engaging in a business that involves the sale, distribution or advertisement of lottery tickets pertaining to lottery schemes conducted or managed by the Ontario Lottery Corp. unless specifically authorized to do so by the Ontario Lottery Corp. The effect of this legislation is to

make all mail-order ticket operations illegal in Ontario.

This legislation will also prohibit the purchase of lottery tickets in Ontario for the purpose of engaging in a business located outside Ontario that involves the sale, distribution or advertisement of lottery tickets. In addition, it will make illegal the selling of tickets for more than the face value shown on the tickets.

Under these amendments, a conviction will result in a fine of up to \$50,000 or imprisonment for a term of not more than a year, or both.

17:50

As I noted at the introduction of this legislation, the mail-order sale of lottery tickets is a problem that has been allowed to drag on too long. United States residents have repeatedly complained to the Ontario Lottery Corp. over the past few years. These people sent money to unauthorized mail-order agencies. Many did not receive the tickets they paid for, many did not receive the prizes they felt they were entitled to and many could not get the information they required. The mail-order agencies sold tickets at large markups as a matter of practice.

These activities caused serious harm to the integrity and credibility of Ontario's lotteries. As minister responsible for the Ontario Lottery Corp., I am determined that action must be taken to ensure that only those authorized by the corporation should engage in the sale of lottery tickets in this province.

The credibility of the corporation is at stake here. The Ontario Lottery Corp. position has been supported on three occasions by the courts in Ontario. I believe this amendment is long overdue and I urge that it be dealt with quickly and without delay.

Mr. Rowe: I would like to make a few remarks. At the outset, let me say to the minister and to the government that our party always wanted to and will continue to protect the integrity and the reputation of the Ontario Lottery Corp. However, I think there are some interesting bits of information that the minister possibly overlooked and I would like to share this information with the House.

Let me start by outlining the importance of the industry, which this proposed legislation will undoubtedly eliminate, and its contribution to Ontario's economy. The lottery-ticket-purchase industry has been operating in this province for 10 years. It currently employs more than 500 people directly and an additional 500 people indirectly. The industry as it stands now brings in more than US\$60 million to Ontario annually and

it contributes close to \$40 million directly into the coffers of the Ontario Lottery Corp. In my estimation, the loss of \$40 million alone would seriously undermine many social, cultural and recreational projects and programs in Ontario.

This government is proposing to amend the Ontario Lottery Corporation Act to prevent the sale of lottery tickets to nonresidents of the province. As the minister has stated, conviction under the new law will carry a fine of up to \$50,000 or imprisonment for up to a year, or both.

I have some serious reservations on whether this legislation is needed at this time. It might be somewhat like hunting for mice with an elephant gun. It conflicts with accepted international lottery practices. In my opinion, the province has nothing to gain by passing legislation, but possibly a lot to lose—for example, more than 500 jobs and hundreds of millions of dollars in revenue lost to the province.

The Ontario Ticket Purchase Services Association, as it is called, is attempting to show why this new law might be illogical—and it is—and harmful. The association represents most of the companies in the province that purchase lottery tickets on behalf of nonresidents. It is important to note that those nonresidents are usually in the US. The association was formed in 1985, although the industry has been active since 1977, as I said previously.

Since that time, about two million Americans have used its services, and the industry has brought into Ontario more than US\$200 million. The ticket-purchase service industry provides full-time employment for more than 500 people, and it is important to note they are unskilled and clerical workers and students with an average age of 23. Without question, those jobs will be lost if this new legislation goes through, as well as about 100 seasonal and part-time jobs for students and the handicapped.

Specifically, in the areas most affected, in the case of Streetsville, 160 jobs will be lost; Toronto, 145 jobs; Oakville, 70 jobs; Etobicoke and Mississauga, 45 jobs. Furthermore, 350 new jobs scheduled for 1986 are being held in abeyance as a result of this proposed legislation. This employment would be created in terms of new jobs: 100 in Niagara Falls, 100 in Fort Erie, 100 in Cornwall and more than 50 in the city of Windsor.

The proposed legislation would reduce purchases from the Ontario Lottery Corp. by about \$40 million a year. The real victims, of course, would be charities, hospitals, amateur sports

groups and groups across the province that are supported to a large degree by lottery dollars. In addition, more than \$20 million a year in capital investments and services would go by the board, more than 136 suppliers, all in small business. We have heard this government talk about small business and the important role it plays in the economy, the hundreds of jobs it creates. Here is a perfect example. There is no question it would be adversely affected.

Printing and allied services in this field would stand to lose in excess of \$4.6 million. Inevitably, there would be layoffs in some of these companies. If the proposed legislation is enacted, more than US\$61 million will be lost to Ontario. The province will detach itself from a huge group of loyal and enthusiastic US customers. The size of this following is illustrated by the fact that Lottery and Gaming Review, which is a Canadian-owned publication, has a circulation of well over 100,000 people in the US.

Lottery tickets are bought and sold internationally. Foreign lottery operators do not confine themselves to local or national boundaries, but rather make the tickets available wherever there is a market. In Ontario, for example, at least 35 different foreign lottery games can be purchased from lottery operators or independent agents by telephone or mail.

These lottery games are based in Australia, Germany, France, Britain, Switzerland, Malta,

Gibraltar, the Netherlands, Ireland, Norway and Spain. In addition, Ontarians can buy tickets for 17 US lotteries. These lotteries are competing for Ontario dollars. It is logical that Ontario lotteries should be able to compete for foreign currency also.

The Deputy Speaker: I draw the member's attention to the clock. Perhaps you would like to adjourn the debate.

On motion by Mr. Rowe, the debate was adjourned.

Hon. Mr. Nixon: Just before the House adjourns, Mr. Speaker, I would like to suggest that we complete this bill tomorrow, if possible. It is convenient for the minister, and I hope it will be convenient for the spokesmen for the opposition parties. It is an important bill, but it should not be time-consuming and we might call it first.

It is also my intention to call orders 42, 44 and 46, which are adjourned debates on motions for adoption of various reports, one dealing with legislative appointments in the public sector, one dealing with the report of the select committee on Ontario trade policy and one dealing with the annual report of the Ontario Institute for Studies in Education. However, the matter will be discussed by my good friends and confidants, the other House leaders, in the morning.

The House adjourned at 6 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
64	3362	1	14	Mr. Ashe: I appreciate the Treasurer's

CONTENTS

Wednesday, November 19, 1986

Members' statements

Pesticides, Mr. Bernier	3431
Adult education, Mr. Allen	3431
Police service, Mr. Villeneuve	3431
Pay equity legislation, Ms. Gigantes	3432
Microelectronics centre, Mr. Mitchell	3432
Unemployment in northern Ontario, Mr. Morin-Strom	3432

Statement by the ministry and responses

Trucking industry, Hon. Mr. Fulton, Mr. Gregory, Mr. Mackenzie	3433
---	------

Oral questions

Tariffs on softwood lumber, Mr. Pope, Hon. Mr. O'Neil	3435
Electric shock therapy, Mr. Grossman, Hon. Mr. Scott	3435
Government's policy on South Africa, Mr. Rae, Hon. Mr. O'Neil	3436
Pension funds, Mr. Rae, Hon. Mr. Kwinter	3437
Alcohol on OPP boat, Mr. Sterling, Hon. Mr. Scott	3438
Electric shock therapy, Mr. Reville, Hon. Mr. Scott	3438
Detroit incinerator, Mr. Newman, Hon. Mr. Bradley	3439
Alcohol on OPP boat, Mr. Gillies, Hon. Mr. Nixon	3439
Pay equity legislation, Ms. Gigantes, Hon. Mr. Scott	3440
Toxic contaminants, Mr. Ferraro, Hon. Mr. Bradley	3440
Alcohol on OPP boat, Mr. Sterling, Hon. Mr. Scott	3441
Emission discharges, Mrs. Grier, Hon. Mr. Bradley	3441
Propane explosion, Mr. Rae, Hon. Mr. Kwinter	3442
Retirement of Clerk, Mr. Eves, Hon. Mr. Scott	3442
Corporate taxation, Mr. Foulds, Hon. Mr. Nixon	3443
Shoreline protection, Mr. McCague, Hon. Mr. Nixon, Mr. Brandt	3443
Low-income workers, Mr. Mackenzie, Hon. Mr. Wrye	3444
School funding, Mr. Sterling, Hon. Mr. Conway	3444

Petitions

Labour relations legislation, Mr. Rae, tabled	3445
Equality rights legislation, Mr. Pierce, tabled	3445

Reports by committees

Standing committee on social development, Mr. R. F. Johnston, tabled	3445
Standing committee on regulations and private bills, Mr. Callahan, agreed to	3445

First readings

Truck Transportation Act, Bill 150, Hon. Mr. Fulton, agreed to	3445
Ontario Highway Transport Board Amendment Act, Bill 151, Hon. Mr. Fulton, agreed to	3445
Highway Traffic Amendment Act, Bill 152, Hon. Mr. Fulton, agreed to	3445

Second readings

Succession Law Reform Amendment Act , Bill 1, Hon. Mr. Scott, Mr. O'Connor, Ms. Gigantes, agreed to	3447
Metropolitan Toronto Police Force Complaints Amendment Act , Bill 90, Hon. Mr. Scott, Mr. O'Connor, Ms. Gigantes, adjourned	3449

Committee of the whole House

Registry Amendment Act , Bill 122, Hon. Mr. Kwinter, reported	3451
Time Amendment Act , Bill 58, Mr. McClellan, Hon. Mr. Nixon, Mr. Eves, reported ...	3451

Second readings

Off-Road Vehicles Amendment Act , Bill 18, Hon. Mr. Fulton, Mr. McLean, adjourned .	3454
Homemakers and Nurses Services Amendment Act , Bill 113, Hon. Mr. Sweeney, Mr. McClellan, Mr. D. S. Cooke, Mr. Cousens, Mr. Foulds, agreed to	3454
Off-Road Vehicles Amendment Act , Bill 18, Hon. Mr. Fulton, Mr. Gregory, Mr. Breaugh, agreed to	3469
Ontario Lottery Corporation Amendment Act , Bill 115, Hon. Mr. Eakins, Mr. Rowe, adjourned	3470

Other business

Business of the House , Hon. Mr. Nixon, Mr. Harris, Mr. McClellan	3445
Adjournment	3472
Erratum	3472

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Bernier, L. (Kenora PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Brandt, A. S. (Sarnia PC)
Breaugh, M. J. (Oshawa NDP)
Callahan, R. V. (Brampton L)
Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Cousens, W. D. (York Centre PC)
Davis, W. C. (Scarborough Centre PC)
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Eves, E. L. (Parry Sound PC)
Ferraro, R. E. (Wellington South L)
Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Gregory, M. E. C. (Mississauga East PC)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Mackenzie, R. W. (Hamilton East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McLean, A. K. (Simcoe East PC)
Mitchell, R. C. (Carleton PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Morin-Strom, K. (Sault Ste. Marie NDP)
Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Pierce, F. J. (Rainy River PC)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sterling, N. W. (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Villeneuve, N. (Stormont, Dundas and Glengarry PC)
Wrye, W. M. (Windsor-Sandwich L)



No. 67

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament

Thursday, November 20, 1986

Speaker: Honourable H. A. Edighoffer

Clerk of the House: C. L. DesRosiers

Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 20, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

DETROIT INCINERATOR

Mr. Newman moved resolution 66:

That in the opinion of this House, since the state of Michigan has given approval for Detroit to build an enormous garbage incinerator without extra pollution controls, the Minister of the Environment should take steps to ensure that Ontario residents, especially those in Windsor and Essex county areas, are protected from this potential source of air pollution.

The Deputy Speaker: The honourable member has up to 20 minutes for his presentation and may reserve any part of that.

Mr. Newman: I rise today to speak about an issue that is not only important to myself and my colleagues from Windsor, but that I hope is also important to all Ontario. This is the issue of a garbage incinerator currently being constructed in the heart of downtown Detroit.

Why should this issue be so important to us in Ontario? It is important because this incinerator is located only five kilometres from Windsor and will affect the entire southwestern Ontario region.

For those still unfamiliar with this issue of the Detroit incinerator, allow me to take a few minutes to explain what is happening. Michigan is rapidly running out of landfill sites. Faced with the increasing costs and problems associated with the landfill sites, Michigan conceived the incinerator out of necessity.

In 1984, the Michigan Department of Natural Resources gave the go-ahead to a company called Combustion Engineering to begin work on a \$470-million megaproject—that is, half a billion dollars—to alleviate the major problem the area is having with waste disposal. This trash-to-energy incinerator will have one of the largest smokestacks in the world. It will be the world's biggest garbage incinerator and will eventually have the capacity to burn up to 4,000 tons of garbage a day. Think about that. Four thousand tons of garbage each and every day.

I have an article from the Detroit News, October 2, 1986, which states that five trash-burning projects are planned. This is absolutely astonishing. Michigan has attempted to eliminate one problem by creating another. It is creating a problem that will most assuredly affect not only its citizens but Canadians as well.

The smokestack will deposit some 10,000 tons of acids, dioxins and heavy metals on the surrounding areas in Detroit. The situation will be further exacerbated by the toxic byproducts that will enter the ecosystem and will be carried to more distant parts of the continent.

For situations like this, we are hard pressed to find a reason. We tell ourselves that the Americans are our neighbours and are just as concerned as we are about the health and wellbeing of their citizens. Surely they would not let this project go ahead without adequate pollution control devices. Unfortunately, this is precisely the case. The state of Michigan and the city of Detroit have been shortsighted and have totally ignored the pleas of environmentalists and those who are concerned about the future of the Detroit-Windsor region.

What is probably the worst thing in this case is that the entire affair is predicated on a mistake, a simple case of human error. A supervisor in the Michigan Department of Natural Resources has stated publicly that the decision to approve plans for the construction was made by an employee who misread the environmental impact data. The report that the department originally received stated that the dioxin byproducts from the incinerator would cause two additional deaths per million, when in fact the incinerator will cause more than 38 additional deaths per million in the Detroit-Windsor area. The error was a result of someone in the department not understanding the difference between a microgram and a milligram.

When dealing with life-and-death problems, the error is inexcusable. What astonishes me is that even after this error was discovered, the project was still being allowed to continue without the necessary pollutant scrubbing devices. We must ask ourselves, is there an acceptable number of preventable deaths? I believe that whether it is two deaths or 38 deaths,

the number is still not justified if those deaths could be prevented.

If a mistake has been committed, then it is the duty of a responsible government to correct it. I find it surprising that Governor Blanchard of Michigan, the same governor who a year ago signed an air pollution pact with the Premier (Mr. Peterson), could sanction this project without requiring the necessary emission controls. What surprises me the most about the official state position is that the Department of Natural Resources itself has stated the risks of not using adequate scrubbing technologies on the incinerator. This is a case of the left hand not knowing at all what the right hand is doing. It is simply a case of municipal lobbies having more clout than environmental lobbies.

Detroit officials convinced the governor that the increased cost of adding scrubbers to the incinerator would effectively scuttle financing for the project. This seems a little strange. The project is already costing \$470 million. It is estimated that cleaning devices will cost between \$17 million and \$30 million. We are talking about an additional expenditure of five per cent to save 38 people's lives in Detroit and three or four people's lives in Windsor each and every year, not to mention the other deaths that will occur outside the direct impact zone.

10:10

Surely the state of Michigan and the city of Detroit do not place such a low value on human life. As early as April of this year, Windsor city council sent a resolution about the incinerator to Mayor Coleman Young himself. Windsor city council approved another resolution on May 4, asking the Ontario government to take legal action against the incinerator.

This resolution was also sent to both Mayor Young and the Detroit city council. No response or acknowledgement of either resolution has been received. Alderman Mike Ray, a member of the Windsor city council, headed the city's fight against the incinerator. City council is leading a citizens' petition drive opposing construction of the garbage incinerator without the best possible control equipment. The petition, which has more than 1,000 names at present, will be sent to various levels of government in the United States and in Canada.

Here is an excerpt from a Windsor Star article entitled "Angry Voices Are Raised At Last," showing how a concerned couple has dealt with the situation.

"What kind of neighbours are you anyway?"
A Windsor couple, Carol and Luc Dumont

summed it up perfectly with that pointed question in a letter slamming Detroit's construction of a \$500-million garbage incinerator lacking the state-of-the-art pollution controls. Anyone who thinks all Windsor residents are apathetic and listless in the face of the cross-border environmental hazards has not encountered people like the Dumonts.

"The Dumonts did not hesitate. They rounded up 21 other signatures and fired off a blistering letter to the US Ambassador Thomas Niles in Ottawa. Better yet, they sent copies to a host of US and Canadian politicians, including President Ronald Reagan, Michigan Governor James Blanchard and Detroit Mayor Coleman Young."

There was a time when the decision to build industrial complexes was made without reference to environmental concerns. It was usually because we did not know about such things as acid rain, carcinogens and the long-term environmental dangers of unmonitored and uncontrolled industrial emissions. I am thankful those days are over and that we are in the process of correcting the mistakes of the past.

We are passing legislation concerning pollutants and fining industries that do not comply with such regulations. We are trying to repair and rejuvenate land and waterways that have been damaged or, in some instances, destroyed because of ignorance. Today we have the technology to industrialize without at the same time destroying the environment.

The entire issue strikes me as highly contradictory. On the one hand, Detroit needed this incinerator, because all the local landfill sites were full. This seems to be the most effective and economic method of disposing of waste. However, if safety and concern about toxic landfill programs were a major factor in the decision, why is the city building an environmentally disastrous incinerator?

The Canadian concern has been articulated in the United States. The Environmental Protection Agency in the US took up the case and intervened in the courts. It demanded that scrubbers be put into the project. The builders contested this decision and were able to convince the courts of their case.

The Ontario government and the Canadian federal government attempted to assist in this process. We presented a brief that upheld the technical findings of the Environmental Protection Agency. Furthermore, our studies proved conclusively that control technologies were available and feasible and would ensure that this

environmental and health disaster could be averted.

Unfortunately, the legal ball was fumbled and the Environmental Protection Agency was forced to withdraw its case. The court decided the Environmental Protection Agency had been given ample opportunity to argue its case and to ensure the best available technology was used before construction began. They failed, and now it seems that most of the conventional legal avenues to prevent this environmental crime have been closed off to us.

The American court has even issued an oral ruling granting Combustion Engineering an injunction to prevent the EPA from taking any further action. This injunction was issued on the ground that the EPA no longer has the right to contest the building permit. This is the most shortsighted ruling I have ever heard of. Think of it: the courts have stated that because the EPA did not object right at the beginning, between 40 and 50 people in the Detroit-Windsor area will have to die from cancer each and every year. Decisions of a life-or-death nature cannot be upheld because of legal bungling. Construction is not irreversible, scrubbers can still be added; yet in Windsor we are forced to sit back and watch this catastrophe take place across the river.

Legally, the residents of Windsor are a million miles away from the court system of Detroit. Unfortunately, we are physically only five kilometres away. We are captives of a system that is so narrow-minded it is not willing to spend a few more dollars to safeguard the lives of its own citizens, not to mention the citizens of Windsor.

There was a time when people who were concerned about the environment were forced to work outside the system. They were often accused of being against progress, of wanting to turn back the clock to a simpler time before industrialization. They were accused of overexaggerating the dangers of pollution. They were told we did not have all the facts and we could not prove the dangers they were talking about.

Thankfully, things have changed. We have realized environmental concerns are not limited to special interest groups. The effectiveness with which we deal with environmental problems will determine the future not only of mankind but also of every species that relies on the ecosystem for life. Myths of the past are realities of today. We know for a fact that smoking causes cancer. We are just as sure that toxic chemicals such as polychlorinated biphenyls cause cancer. These are not suppositions; they are modern facts.

Everywhere we look, we see the results of ignoring environmental concerns: toxic dump sites with poorly insulated containers that have leaked and have contaminated water systems, families uprooted because their towns have been declared uninhabitable and lakes that have died because of acid rain. These environmental disasters form part of the legacy that we leave to our children. In the past, we did not understand the dangers or we did not care enough. We understand now and are taking belated measures to correct the disasters of the past. We are now playing catch-up.

The industrial world is spending a fortune to clean up the mess it has made. The least we can do is ensure that future generations will not be condemned to repeat our mistakes. We have the technologies and, compared to the cost of repairing the environmental damage, these technologies come at an extremely reasonable price.

Detroit and Windsor have had good working relationships. Every day hundreds of Windsor residents cross the Peace Bridge to work in Detroit. Our futures are linked in many ways. It seems a shame that relations between these two great cities should be strained over an issue that requires collaboration and not confrontation.

I know, and I am sure my colleagues from Essex will agree with me on this, that people in the Windsor area are not feeling very friendly towards our southern neighbours at this moment. We feel betrayed by Mayor Coleman Young and Governor Blanchard. I sincerely hope that both of them will see that the short-term gains of building an environmentally unsafe incinerator are not worth endangering the lives of regional residents.

I hope the governments of Canada and Ontario will continue to exert every pressure to oppose further construction of this incinerator without the best possible controls.

10:20

Mr. Brandt: I welcome the opportunity to join with my colleague the member for Windsor-Walkerville (Mr. Newman) with respect to the resolution he has put before the House, a resolution that I am pleased to say the members of my party and I support.

This resolution effectively asks the city of Detroit to take into account some additional factors with respect to the construction of the incinerator that is being proposed for that municipality. We are not talking about an ordinary incinerator in the case of the one that is being proposed in Michigan at present. The cost of this incinerator puts the matter into perspective

when we realize that we are talking about almost half a billion dollars—I believe it is some \$470 million—without some additional controls, which I will argue for a little later and which the member for Windsor-Walkerville commented on in his presentation, which would increase the cost ever so slightly.

We are looking at what may be the world's largest incinerator. We are talking about a waste-to-energy program that would be constructed in the heart of one of the most highly populated areas in North America. The catchment area where the normal outfall of some of the effluent from this plant would go would certainly cover the county of Essex and perhaps the county of Kent to a somewhat lesser degree. As well, I concern myself with some of the prevailing wind conditions in this area, which could well drive some of these pollutants to the north and east, placing my community and the county of Lambton right in the pathway of a very serious environmental concern.

In addition, the area we are talking about is the prime agricultural area of Canada. I am sure other areas will come forward with similar arguments, but if one takes a look at the amount of cash that is generated through the agricultural crops in Essex and Kent particularly, and only to a somewhat lesser extent in Lambton, we are really talking about the food basket, in many instances, of our great province and our great country.

That fact concerns me because in a recent study that was done with respect to the environmental impact of dioxins in our food chain, it was noted that the typical food basket in Ontario currently contains a far higher level of dioxins than is suggested to be safe or at a reasonable level. That concern can only be compounded by the addition of a plant of the type covered in this resolution and proposed by Detroit.

There are some who would perhaps argue that Ontario should not become involved in what is very specifically a Michigan and a Detroit issue. However, I call to members' attention the situation that occurred in the Atikokan area. Some time ago a Hydro plant was proposed for that area to serve the northwestern part of Ontario. The state of Minnesota, along with the Environmental Protection Agency and many environmental groups in the United States, argued, I think with some justification, that the level of sulphur dioxides that would have been emitted as a result of the coal burning in that Hydro plant would have polluted parts of the United States.

We have the reverse situation here. We have a plant in the United States that may pollute Ontario. The past instance I am citing for the members' consideration is one in which the plant was to be constructed in Ontario and might perhaps have polluted certain areas of our friendly neighbour to the south of us.

What happened as a result of American intervention in that issue? Very simply, the plant was down-sized, as my colleague the member for Kenora (Mr. Bernier) well knows. He was deeply involved in that issue at the time. The plant was down-sized in order to reduce the concerns of the residents of that area. In addition to being down-sized, the plant was required to burn lower-sulphur western coal, I believe, in order to reduce the quantity of sulphur dioxides that would be emitted.

That kind of co-operative partnership with our American friends is the kind of thing this resolution cries out for. It is not saying, "Stop the incinerator in its tracks." It is saying that when there are major concerns about sulphur dioxide, particulate matter—which I guess in the vernacular is fly ash to many people—and carbon monoxide discharges from that plant, as three of the pollutants that are of concern, there are technologies that can control those pollutants or bring them down at least to a more acceptable level.

I concern myself as well with the potential emission of dioxins and furans from that facility. It has been noted in Ontario—and I mentioned the food chain problem earlier and the level of dioxin that is contained therein—that most of the dioxins and furans that are contained in our food chain at present are in direct proportion to the percentage of the emissions generated by incinerators. I am talking both about small incinerators in apartment buildings, which burn garbage on a small basis, and some municipal incinerators.

The concern I have is that the technology has not yet reached the point where we can be absolutely certain that we have a fail-safe method. For that reason, this resolution quite appropriately calls out for additional control measures. It simply says we have some legitimate concerns here based on the history of these kinds of developments that have occurred in all other places in the world.

The technology is still, I must say, rather primitive as it relates to these kinds of incinerators. As a result—and my friend the member for Windsor-Walkerville will find this interesting—Sweden has for the last couple of years put a total moratorium on all incinerators. It has stopped

them flat in their path. Sweden has said, "There shall be no more incinerators until we can develop the technology to a safer level."

Therefore, I support the resolution of my colleague and I do so without any hesitation whatever.

However, I have another problem I want to address in the last couple of moments relating to this resolution, and I want to address it very quickly. At present, some 15 incinerators are planned for Ontario. We cannot have it both ways, I suggest to my colleagues. On the one hand, we cannot say Detroit has an unsafe technology, which may well be even more advanced than some of the technology we are proposing in the 15 incinerators being proposed for Ontario. We cannot tell municipalities, as is the present position of the Ministry of the Environment, that they shall include a waste incineration program in their environmental planning activities and, at the same time, say all waste incinerators are unsafe or should not be constructed.

What I am arguing is that there has to be a balance in terms of the direction our government takes here in Ontario and what we are suggesting other jurisdictions proceed with in regard to the new technology.

10:30

New landfill sites are becoming increasingly difficult to find, as my friend from Simcoe knows in connection with the Pauzé landfill site. The replacement of that site is becoming virtually an impossibility in his municipality. Now he is being told he cannot have an incinerator and he cannot have a landfill site. How is he to dispose of the garbage in that fine municipality of Tiny township? I am sure we do not want to deliver it all to the house of the Minister of the Environment (Mr. Bradley). I do not think that would be the proper solution to this particular catch 22 situation.

In the few seconds remaining to me, in regard to incinerators, we have to find a technology that works. I join my colleague in supporting this resolution because I do not believe Detroit has found that technology yet. We should work co-operatively to try to find a safe technology that will work for incineration programs so that some time in the future we can get rid of landfill sites.

Mr. D. S. Cooke: I am pleased to be able to join the other members of the Legislature in their support of the resolution of the member for Windsor-Walkerville. For years, people in our community have experienced substantial pollu-

tion problems that originate primarily in Detroit. The west end of the community and the Lasalle area, Sandwich west, have experienced considerable pollution from what is known as Zug Island, a large industrial area in the city of Detroit. Even with some of the new pollution control equipment that has been put in that area, there are many days when one drives through the west end of the city and the sulphur that comes from the production of steel is so strong it is quite difficult for the people in that community to cope.

I remember when, shortly after my predecessor Fred Burr was first elected in 1967, I was involved with him in doing a survey of health concerns of people of Sandwich west and the west end of Windsor, most of which at that time was in Fred Burr's riding. We found a lot of evidence that pollution was causing considerable health problems. Almost without exception, people were having problems with coughing and lung infections and there was even a higher incidence of cancer in that area of the community than in the rest of the community.

It is fair to say that in our community we have experienced an ongoing environmental problem from Detroit, whether it be from private industry or, in this case, with the proposed world's largest incinerator, this one being a public creation of air pollution. I think it would not be an exaggeration to say it has enraged the people of our community that something like this could happen without any consideration to the people who live on the other side of the border. Obviously, very little consideration was given by the mayor of Detroit to his own people. I guess he can support this kind of incineration even though the statistics show very clearly that large numbers of people will die as a result of the furans and the dioxins coming out of this incinerator, which will not have up-to-date, state-of-the-art pollution abatement equipment.

Last year our community had a crisis; we were very concerned about the pollution problems starting in the Sarnia area with the many spills that were occurring from the chemical companies. That was a crisis in our community as well. In the past couple of years, environmental problems have been at the surface of political and community discussions in Windsor, and appropriately so.

However, the problems related to our drinking water last year did not originate in the United States. Those problems originated right here in good old Ontario. Some discussions have taken place with the Americans, and I think it is fair to

say the people in Port Huron on the Michigan side feel as strongly about transboundary pollution as we do in Windsor, because the people in Port Huron have received the brunt of the pollution problems we have created in Ontario in the Chemical Valley.

Agreements have been signed between the Premier (Mr. Peterson) and the Governor of Michigan about transboundary pollution, but I gather these agreements do not mean a lot. On May 12, Dow Chemical in Sarnia released four tons of vinyl chloride gas into the air. Part of the agreement that had been signed stated that the Ministry of the Environment would notify the Michigan Department of Natural Resources, but that notification did not occur.

We have to be somewhat careful in that if we are going to criticize the Americans and, in this case, rightfully so, we have to set a better example than we have in the past. That example should begin by cleaning up some of the very serious pollution problems that exist in the Sarnia area.

However, today we are here, primarily, to discuss the major proposal for this world's largest incinerator in the city of Detroit. The incinerator will be only 4.8 kilometres away from downtown Windsor. I believe it is probably even a little closer to some sections of the community that are in my riding. We will get a constant fallout unless the appropriate pollution control equipment is put on. We will get the furans and dioxins that come out of the incinerator.

The number of cancer deaths have been calculated. The member for Windsor-Walkerville has outlined those to be 38. I am not sure that anyone can tell for sure. At one point, the calculation was 3.8. Then they found they had made a mistake in the calculation and that it was much higher than that. I am not entirely sure how many deaths will occur, but the number is substantial. In addition, other health problems will result from the incineration of garbage in this absolutely monstrous incinerator.

Some of us would like to see the governments in Detroit and Michigan go even one step further. Even with the state-of-the-art equipment on incineration, we have grave reservations about whether incineration is the appropriate way to go for the disposal of our garbage in North America. Even the state-of-the-art equipment will allow for some furans and dioxins to get into the air. That is simply unacceptable in 1986, since we know how substantial the negative effects of

those cancer-causing chemicals that get into the air are on people's health.

I am not entirely satisfied with the response we have had from the Ministry of the Environment to this date. The first notification that this plant was going to be installed was officially given to the Ministry of the Environment on September 24, 1984. It notified the then Progressive Conservative government that there would be public hearings. It did not even get a response from the Minister of the Environment of the time who, I believe, was the member for Sarnia (Mr. Brandt), who just spoke. There was not even a response.

That was surely a clear reflection of the lack of concern by the previous government for protecting the citizens of Windsor and Essex from this monstrous incineration plant. There was no response at all. Even when this government took office, there was no response until April 9, 1986. That was the first official response to the people at the Michigan Department of Natural Resources, objecting to the installation of this incinerator. I dare suggest there would not even have been that response if it were not for the fact that this matter was raised in the Legislature and by correspondents and received considerable press in the city of Windsor.

However, we are at the point now where there is a need for the Legislature to go on record today as saying we are not satisfied with the response by the city of Detroit. The amounts of money we are talking about to install the state-of-the-art pollution equipment are minuscule when one considers the consequences of death if those protections are not put in place.

I would like to make two other points. One is that a little bit of politics has been played in the past number of months by the Minister of the Environment in this whole matter. Mike Ray, who is on city council in the city of Windsor, has spoken out on this matter, but it is very clear that he has been receiving information from the Ministry of the Environment that even we, as local members, have not been receiving, so that Mr. Ray can grandstand at city council meetings on Monday nights and show his great concern about this incinerator.

10:40

The reality is that we know Mr. Ray is interested in seeking a Liberal nomination in the next provincial election. To use this item as a political issue, as Mr. Ray and the Minister of the Environment (Mr. Bradley) have done, is unfortunate because it is not that kind of issue. It is the

kind of issue on which the whole community should unite in opposition to such actions.

One other point I want to make is that one cannot separate this issue from the whole problem of landfill, as the member for Sarnia said. The fact is that we in Windsor ourselves have a very serious problem of not dealing appropriately with our own sewage waste, which is currently being dumped at a landfill site out in my colleague's riding in Essex North.

Some suggestions have come forward about what we should do with our own garbage as well, and we have not properly dealt with that problem. In fact, the waste management committee in Windsor and Essex has suggested that one of the possible alternatives is to truck our waste over to the Detroit incinerator once it is completed. That is completely inappropriate. We in Ontario should be setting an example of proper disposal, so that we can oppose this monstrous incinerator with credibility.

Mr. G. I. Miller: It is a pleasure for me to be able to rise and participate in the debate on ballot item 27, an item brought in by the member for Windsor-Walkerville.

It is a resolution that is very important not only to all the citizens of Windsor and district and Detroit but also to Ontario generally. It is a time when we are dealing with our environment, which knows no international boundaries. I believe this is the appropriate time to bring it to the attention of the Ministry of the Environment, which is well aware of it and has received some criticism from the former government and from some of the other members around the Legislature indicating that we have not been paying enough attention to it.

As an international matter, the resolution should be supported. Perhaps this resolution should be passed on to our colleagues at the federal level, because it is an international situation, combined with the strength of the local municipalities, which have been speaking out and encouraging that the latest technology be utilized, such as putting scrubbers on the garbage incinerators. This should be carried out.

Through the debate in this House this morning and through support from all sides—and I assume it will be taking place—I hope we can bring it to the attention of our federal environmental people so that they can negotiate an agreement. By that message we can protect our environment, and I believe we will be able to look back in the years to come with some satisfaction. I believe it is the first time in my recollection of 10 or 11 years in the Legislature that we have dealt with a

resolution that involves both Ontario and the United States, and it is something we can be proud of down the way.

The important thing is to leave a future for our young people and to protect our health. I guess another example of where we could, should and perhaps will do so in the future is the Nanticoke generating station. It is one of the largest coal-fired stations in the world. While we have tried to improve the environment by using Canadian coal with less sulphur content to reduce the carbon dioxide and the pollution from that plant, much more work can and should be done. That plant sits on the north shore of Lake Erie, the boundary between the US and Ontario, Canada. By studying these examples, we can show we are trying to improve the environment and protect the future of our natural resources.

I know the member for Essex South (Mr. Mancini) was planning on speaking on the resolution and giving support to it this morning, but because he is on the standing committee on public accounts and voting on some matters at present, he was not able to take part in the debate.

Again, it is my pleasure to be able to rise this morning and support the resolution. We hope this debate will spark enough interest to have the city of Detroit and the state of Michigan reconsider and use the latest technology for providing clean air in this incinerator.

I noticed the member for Sarnia was critical of the waste-burning facilities that Ontario is providing at present. As a member of the government, I believe we are dealing and trying to deal with the disposing of our waste. It is a major problem and a concern to every municipality in Ontario. Should we be piling it, burying it or leaving it in huge mounds? I believe the policy of our government is to move ahead on recycling. That seems to be the direction we should be going in the future.

While many people think of waste as an end product and burying it, when it is used properly by recycling there is value there. It can be utilized a second or third time. In that way, we are creating jobs, protecting our natural resources and leaving an environment we can all be proud of. I firmly believe that is the direction we should go. I know the Minister of the Environment and this government are encouraging that.

I intend to support the private member's bill brought in by the member for Windsor-Walkerville. We hope it will prove fruitful in the days ahead and that this incinerator can be properly equipped with the scrubbers that are available at present.

Mr. McLean: I am pleased to speak on private member's notice of motion 66. In response to the resolution of the member for Windsor-Walkerville, it seems that all members of this House might easily support such a motherhood statement. After all, we would all want our constituents protected from any potential dangers that might emanate from a new garbage incinerator in Michigan or, for that matter, elsewhere in the US or Canada.

I suppose we could even legislate against a Ukrainian nuclear plant in Chernobyl. Although it does not do much good to pass laws against pollution, I am sure the Minister of the Environment will want to do something to ensure that those good residents of Windsor and Essex county are protected. Our American friends do not seem to listen very much any more, but we can do something. I am sure that is why we are all here today and will support our friend's resolution.

I have some concerns, however, over this government's real interest in matters of pollution controls and protection mechanisms. After only six weeks, I finally received from the Minister of the Environment a reply to my request for information on how the government might help a major industry in my riding to convert to a pollution-free method of production. This involved cyanide salt waste. We were not talking about some dirty water or some household garbage.

10:50

I mention this event because the slowness of the minister's reply and the content of it demonstrated to me that we cannot expect too much from this government when it comes to action on pollution abatement and control. The letter I received from the minister was simply a brochure that I could send to this constituent on how he could apply for government funds to help him in his factory.

It is a critical and life-threatening matter that should be addressed by the highest authority and something should be done about it and done now. If, however, in a more charitable vein, we might hope for some action from the government on pollution matters, let me remind the members of the problems we face every day and some solutions the government could look at.

In the first place, the bottom line of the problem is not the amount of garbage that has to be disposed of; it is what happens when one disposes of it. What does it turn to? When garbage is incinerated, there is a lot of smoke and ashes and a reduction in the size of solids that are

relatively easy to get rid of, but there is also the worst potential killer in the history of mankind. It is a killer known as dioxin.

Dioxin, because of its extremely deadly nature, has come to be the word people use when they want to express the worst in man-made pollutants. Unlike other known pollutants such as DDT, for example, little is known about the makeup of dioxin. All we know for sure is that it is a deadly killer in microscopic amounts and that the major source of this killer is from incinerated garbage, from the gases that go up into the atmosphere and float around wherever the wind carries them. That wind can carry dioxin particles thousands of miles. When it rains or snows, guess what happens to this poison? It falls with the rain or snow and goes into our food chain, into the animals we raise as food, the wild animals, the fish, the plants we grow, the wild plants that our domestic animals eat, and eventually into the food we eat.

I am sure all of us understand how pollutants get into our food chain, but the real problem is that we do not seem to be too concerned about it, perhaps because this poison is invisible. Yes, we have rules—and finally, some strict rules—but it appears that many people think rules are made to be broken, accidentally or otherwise.

I read recently that in Germany there has been a major spill of toxic chemicals into the mighty and historic Rhine river. That river is almost dead now and will remain so for many years. What a tragedy.

Similarly, in Canada's north last year, a native community in northern Ontario suffered from mercury poisoning in the fish. We know all about that. Acid rain and acid dust from chimneys have already ruined many of Ontario's lakes and polluted them with dioxins. The public is now becoming aware of the newest danger, one that has been around for many years. It has existed since man began lighting fires millions of years ago.

In 1982, dioxins were first found in the sources of Ontario's drinking water. About March of this year, for the first time anywhere, dioxin was found in our treated drinking water. It seems we cannot get away from this invisible menace. These dioxins poison us in many ways. At various levels, they cause birth defects, liver damage and cancer. It is believed that dioxins are the most toxic promoters of cancer.

In 1983, the Federal Expert Advisory Committee on Dioxins reported that the largest source of these poisons was primarily municipal garbage incinerators. Twenty-seven kilos a year of

dioxins are estimated to go up in smoke from Canadian incinerators of various kinds. Multiply that by a 600 millionth of one millionth of a gram to see how much deadly poison is floating around in the air. If we were concerned about what is taking place, we might address our plans for the coming years in regard to garbage disposal methods and also the proposed Michigan incinerator across the river from Windsor.

First, as I am sure members know, especially the so-called rural members, garbage disposal is a very real problem. What do we do when our landfill sites are filled? Where do we put garbage then? Burning always seemed a reasonable and effective alternative, but maybe it is not necessarily so now.

Sweden has had a moratorium on new garbage incinerators for the past few years. California is about to institute a moratorium until it gets more information on how to handle the emissions. It is too bad that Michigan will not hold off for a while also. Maybe they would if we talked to them.

We should examine recycling garbage, as the Japanese have done. Japan recycles 90 per cent of municipal garbage; Ontario recycles about one per cent. However, burning is not totally out of the question, and there has been some major leadership from Environment Canada on this problem. Perhaps our minister should talk to the Ottawa people.

Pollution from municipal waste incinerators can be cut down by 90 per cent for certain kinds of pollutants now, but we have to use the right equipment. Major tests have been completed that have demonstrated that add-on equipment can and does work in reducing serious pollutants from the incinerators of municipal garbage.

Our friends in Michigan should be aware of these new developments in Canada. Technology does exist to remove pollutants of concern efficiently. Such technology can be incorporated into existing facilities to provide an effective removal of pollutants of concern. It can be done.

A problem exists in the township of Tiny with the Pauzé landfill site and the surrounding municipalities. The Premier has made the announcement that it will be closed in October 1987. They have set up a committee to look into it, but they have not given any alternatives. They are saying: "Yes, you have to have another site. You have to have it approved. You have to have all the environmental hearings and go through the whole process." That process is long, and it is hard to find a land disposal site in any community any more because nobody really wants to accept it.

The ministry should be giving some direction to these municipalities. It should be working hand in hand with them and setting down a criterion whereby they can say: "This is the type of landfill site that will be permitted. This is the type of garbage that will be permitted. Yes, there will be a landfill site for those five municipalities."

The Minister of the Environment has not made that happen. He has not given leadership in this direction. I say he should give leadership to help those municipalities that need the help to find garbage disposal sites.

Mr. Newman: My first words are to thank the various members who have participated in this discussion. I appreciate their valuable information, as well as the concern they have expressed.

We have a problem here that has to be resolved. It will be resolved only by the combined efforts of each and every one of us, both those who are sitting here and those in other Legislatures throughout the province and Canada.

PROPERTY ASSESSMENT

Mr. McFadden moved resolution 65:

That in the opinion of this House, the provincial government should immediately introduce tax reform measures to reduce the property tax burden on home owners and tenants.

Mr. McFadden: The current tax debate in Metropolitan Toronto about the proposed imposition of market value assessment has clearly brought into focus the need for tax reform in Ontario. It is argued that market value assessment should be applied to all properties in Ontario on the grounds of fairness and equity. Some people take the position that market value assessment, when universally applied, will magically bring peace and harmony to the assessment scene and will end all inequities in the system for ever.

In spite of such claims, the imposition of market value assessment does not and will not bring a tax heaven to Ontario. All one has to do is look at the controversy over tax assessment now raging in Mississauga, where market value assessment is currently in effect, to see that a market value scheme does not bring tranquillity or a universal feeling of equity in the tax system.

I have already spoken to this House on several occasions about the terribly negative impact the imposition of market value assessment would have in north Toronto and in similar areas of older housing throughout Metropolitan Toronto. If the system of market value assessment were

imposed as proposed by the provincial government, 83 per cent of the homes in ward 10 and 75 per cent of the homes in ward 11 of the city of Toronto would face a tax increase.

In fact, the study prepared by the Ministry of Revenue on this matter indicates that 50 per cent of the home owners in these two wards would face tax increases of 20 per cent or more as a result of reassessment. This rise in taxes would be repeated in one neighbourhood after another throughout Metro. It should be remembered that these increases will be over and above the normal annual increases in taxes imposed by municipalities for education and local services.

If such a reassessment were imposed in one year, it could be devastating to many families. Even if market value assessment were implemented over four or five years, it would create a major hardship, since the effective rate of a property tax increase on a majority of such homes would be at least nine or 10 per cent each year during the implementation period.

What is even more devastating is the type of people upon whom reassessment will have a negative impact. Older neighbourhoods, which will face the largest tax increases, are the neighbourhoods where there is the highest percentage of senior citizens. At a time when the government is encouraging seniors to stay in their homes, the imposition of market value assessment will force many seniors on fixed incomes out of their homes, since a significant property tax increase, when combined with all the other increases in operating costs, will make home ownership unaffordable.

The same problem will be faced by many young families now struggling to make ends meet. A significant property tax increase, when combined with all the other expenses incurred in financing and maintaining a house and raising children, will force many young families to sell their homes at a time when there is a chronic shortage of satisfactory rental accommodation in the neighbourhoods affected.

In the face of such a negative impact of reassessment, the time has come for the province to consider tax reform that will reduce the property tax burden on home owners and tenants. Much of the controversy surrounding property taxes stems from a number of fundamental flaws in the whole concept of the taxation of property, particularly as a major source of revenue for education costs and municipal services.

Other major taxation methods apply either to income earned or to a transaction that has taken place. The largest single source of provincial

revenue is personal income taxes. This form of taxation is essentially fair, because it applies to money earned by the taxpayer and is therefore related to the ability of the taxpayer to pay. If little or no income is earned, the taxpayer effectively owes no personal income tax. The same thing applies to corporation taxes, which are imposed on the net earnings of a company.

Most other taxes applied under provincial authority relate to specific transactions. The various sales taxes apply to goods purchased, from meals to kitchen appliances and from motor vehicles to gasoline. The land transfer tax is imposed when the ownership of property is transferred. In effect, the taxpayer must act by buying or selling something to attract sales or other transaction taxes.

Property taxes are very different from income or sales tax. Property taxes do not relate to the ability of the taxpayer to pay and are not related to any transaction that has occurred or any specific service that is received. For example, an elderly couple on a fixed income and living in an older home, where they may have dwelt for 20, 30 or 40 years, would pay about the same property taxes as another family with triple the income in a similar home on the same street. You could say to the older person, "Get out of your house if you cannot afford it and find somewhere else to live."

That attitude is not consistent with the compassionate and humane society we seek to build and maintain in this province. Indeed, it has been the policy of government for a number of years to encourage seniors to stay in their own homes, because they can live happier and fuller lives for longer if they are able to live independently in familiar neighbourhoods and surroundings.

The same kind of unfair circumstances arises for a young couple with children who scrape together every dollar they have to buy their first home and then struggle to keep up their payments for mortgages, food, heat, light, day care and the other necessities of life. This couple would pay property taxes similar to those paid by a couple in a comparable home on the same street with no children and making double, triple or quadruple the disposable income. This is hardly fair or equitable. This kind of circumstance also sends a negative message about our society's attitude towards family life and the priority we give to the proper raising of children.

Property taxes are not only a regressive form of taxation, bearing no relation to the taxpayer's ability to pay, but they are also imposed in a

fashion that effectively works against community improvement. Because the level of property taxes is related to the value of a property, the amount of tax increases if a house is renovated or enhanced in some way. What a bizarre situation we now have where a home owner is taxed or, in essence, penalized for improving his or her house by adding a bathroom, finishing the basement or increasing the size of the kitchen.

11:10

I have met many young couples who have purchased older homes, perhaps in run-down condition, with the intention of renovating them. They go into the house and do much of the construction and decorating work themselves, with the help of skilled labour where they lack the ability to do a particular job. The couple do the work themselves because they cannot afford to hire a professional contractor to do it.

When the work is all done in accordance with the building permit, for which they must pay to receive it from the municipality, a tax assessor will show up in due course to look at the house and inspect the improvements. What happens then? The couple are not congratulated for improving the neighbourhood or helping the economy by purchasing building materials or providing employment for some workmen. Quite the contrary. They are required to pay more taxes because they improved their property. This has to be one of the most inane results imaginable in any tax system in any society. In effect, property taxes are organized to penalize people who wish to improve the quality of their homes and, indirectly, the quality of their neighbourhoods.

These various negative aspects of property taxes require us to consider the ways in which the tax system can be reformed to reduce the dependence of municipalities on property taxes on residential properties.

Originally, property taxes were relatively minor levies to cover municipal services. In the early days of Ontario, there were relatively few municipal services and a very limited system of public education. After all, it did not cost a great deal to keep a dirt road or to maintain a one-room schoolhouse. Today property taxes are expected to cover a vast range of services offered by the municipalities, together with a large proportion of the cost of elementary and secondary education.

Consider the number of services the municipalities have assumed during the course of this century, from parks to welfare, day care and cultural activities. In view of this, property taxes have assumed an increasingly heavy burden as

municipal services and the education system have expanded. This, in turn, has created growing pressures and inequities on property.

It is not reasonable to expect that we could eliminate property taxes on residential properties. It is probable that property taxes under any type of tax reform would continue to represent a significant source of revenue for municipalities. However, what we must do is reduce the proportion of municipal and education costs that are to be covered by property taxes on residential properties in order to alleviate, if not eliminate, the kind of pressure now faced by home owners in many municipalities.

Reports I have read indicate that property taxes in countries throughout the world are small and, in some cases, negligible in comparison to Ontario and other provinces in Canada. I submit that this is an unhealthy situation.

The resolution before the House today seeks to have a declaration made that we need tax reform to reduce the burden of property taxes on residential properties. There are various alternatives that could be pursued, including some form of income tax geared specifically to cover the cost of local services. Whatever ultimate reforms might be considered in the end, it is surely not beyond the realm of human intelligence and ingenuity to deal with this kind of problem.

I therefore ask the House to declare its support for reform of the property tax system by passing this resolution. Then I would ask the government to get on with the job of considering and developing an alternative system that would be fairer and more equitable.

I will reserve the remaining time for further comments at the end or for rebuttal of anything else that might be stated.

Mr. Breaugh: I read this resolution with great interest when it first appeared in Orders and Notices. I examined it for a few days and I thought surely we are all in favour of lower property taxes; surely this will get unanimous consent and wonderful things will happen. However, the more I read it, the more I began to wonder what in the world the member means. Would it not be more helpful if we had a sweet, faint clue as to how he was proposing to go about lowering taxes?

I could not find it in the resolution. I will be shocked today if the Legislature does not say, "Yes, we are all in favour of lower property taxes." I will be even more shocked if somebody is stupid enough to stand up in here and say, "No, I want higher property taxes." I have not seen a

politician do that in Canada since I have been involved in politics.

I was confused about precisely what was meant here and I did some research. On my desk, I found a riding report from the member for Eglinton (Mr. McFadden). On the first page, it says, "Eglinton home owners oppose market value assessment." I thought: "That is true. That is probably not news." Anybody who has had any form of market value assessment inflicted on him anywhere in Ontario knows this is not exactly what it was originally purported to be and not exactly a new, fair system.

In most municipalities where it has been put in place, the trend has been that the punishment is pretty severe on somebody who is unfortunate enough to have even a small house in a neighbourhood where property values have escalated. Tragically, it is usually the older, retired couple with a little bungalow on a street that, all of a sudden, has become trendy who pay the worst price when market value assessment is put in. God forbid that anybody should happen to have a lumber yard in a city, because that really gets zapped.

The instances of unfairness in market value assessment are pretty well documented now. The pattern for implementing it is not quite the way it was originally put forward. The pattern has been that just before a municipal election, a bill of goods is sold to a local council, saying, "This will be fairer." Although that is usually said, the critical point is, "This will put more money in your municipal coffers." Then they advise the council: "It would not be too smart for you to put out all this information. You should keep this within the council, pass your little resolutions and have it happen just after the election. You have a couple of years in there where people can forget who did this to them."

As I read further in this riding report, which I found very interesting, I found somebody else is now opposing market value assessment. Guess what? The people who inflicted Ontario with this dread disease have decided to do a recall. The people who, supposedly by law, brought in market value assessment province-wide have now decided it is a foul idea. That is despite the fact that since its inception some of us in this chamber said to the Tories, who were then in power, "This is a real dumb idea, folks."

In a sense they acknowledged it, because they originally started out with a law which said, "We are going to have market value assessment province-wide now." The outcry was so great from municipalities and citizens across the

province that every year I have been a member here we passed a law which said, "But not this year." We are going to do it again this year, because on the books it says, "Market value assessment will go province-wide," but in reality nobody was stupid enough to try to inflict it province-wide because of the unfairness of the system.

I suppose we should be grateful that the Tories are born again, but I have to admit that for me it is a little hard to stomach the former Minister of Revenue, who steadfastly withstood my pleas over the years to release the studies on market value assessment. We did a study on Metropolitan Toronto and we tried everything in the book. We had oral questions, an emergency debate and written questions. We got down on our knees and pleaded with this guy to release this information.

Each day when he stands in question period now and asks the current Minister of Revenue (Mr. Nixon) to release that information, I have to admit I get a pain somewhere in my back. It is in the lower part of the back too. It hurts to see that kind of demonstration. I am not allowed to say that is hypocrisy. It is a shame I am not allowed to say that. It is pretty hard to explain that when he was Minister of Revenue and had the opportunity to make this information available to the people in Ontario, it was a sin. He could not and would not do it. He would not answer the written questions or table the documents here. He would not give us any information on it. Now he feels everybody should get the information.

I guess we have different days and different stories. I do not mind that the member has put forward a motion calling for lower property taxes and then talks about market value assessment. That is fine by me. I really do not mind that the Tories are born again on the matter. They now see the error of their ways. They have said their four Our Fathers and five Hail Marys and repented on the matter. It may be a deathbed repentance, but I do not care; I will take it in any form it comes.

11:20

It is true that when they were in government, they systematically loaded new programs on to municipal governments every year over a lengthy period. They put incentives at the front end of the programs so that municipalities would take them under their jurisdiction. They kept putting forward funding arrangements to make it attractive for municipalities to take on more responsibilities.

They had learned the political secret that the maximum political mileage—the big buck, so to

speak—on any program in health, welfare and social assistance, housing, child care or anything we name, is right at the beginning. That is where the fun is. That is where the minister hands over the initial cheque. He cuts the ribbon on the child care centre and then he walks away. That is the cheap part and the easy part of any program. The hard part is to keep the thing going for 20, 30 or 40 years.

They also know—they learned their lessons well—that when a municipal council begins to run child care programs, for example, at the request of the Ministry of Community and Social Services, no one from the ministry will come to the council chamber when they start to talk about cost. The local council will have to say that it started it with startup funds from the ministry, that it thinks it is a good program but that it is tough to finance from a municipal property tax base.

They have learned the wonderful lesson of putting the responsibility on another level of government. It will be the other level of government that pays the unhappy price. The ratepayers will not likely come to Queen's Park and attack the minister. He will say he has nothing to do with it any more; it is run by North York, Toronto, Oshawa or wherever. They consistently and steadily loaded that on to the municipal level of government over the years and now the system is creaking.

We all know that the assessment program around Ontario is truly bizarre. We also know that is not the real problem. The real problem is that municipalities have that as their only source of real, local funding. They are dependent on the province, the federal government and various means to provide them with additional funds.

To do something concrete to assist municipalities, the government should provide them with some of the things the Treasurer (Mr. Nixon) has begun to do. It should tell them what they are going to get for funding next year. That does not sound like much, but it is an unbelievable thing that most municipalities never knew what monies they would get from the province until after their entire budgetary process was pretty well locked up and put away. At least he is telling them what the pain will be ahead of time. That is one small step.

Most of us who are observers of the municipal scene would understand that the problem is chronic. It will take some time to reverse that trend. Most of the taxes in this country are hidden. Governments have become really good at hiding even municipal property taxes. I am

amazed at the number of people who have no knowledge of how much money they pay in municipal property taxes; but it is readily explainable: most of them do not pay it directly; they pay it indirectly through a mortgage company. Very few people walk into the municipal office and hand over a cheque. Most of them pay it by some indirect means. They do not have the sharp, working knowledge they should have, and municipalities are wavering along, struggling under a heavy financial load.

This little resolution is not going to help very much. I am happy to see that the Tories have repented on market value assessment. I wish they had done so a little earlier. I might have changed my mind about them. I witness the pain each day as they say things they would not have said when they were the government.

I hope the government of the day is listening. There is a massive financial problem at the municipal level and it is getting worse instead of better. It requires a commitment on the part of this government to do some long-term financial planning for municipalities. I only hope that some day in the foreseeable future the municipal property tax will be what it ought to be: a tax that is limited to certain services and not an excuse for the provincial government.

Ms. Caplan: I rise today to enter this debate with considerable experience on a local council. Perhaps some historical perspectives would assist in this debate. I entered municipal council in 1978, shortly after the provincial government announced market value assessment as the be-all and end-all for a fair and equitable property tax system. The government announced the system would be province-wide and it would be implemented in short order.

That was in 1978. The announcement followed a study that was done over the years from 1963 through 1967 and an additional study after that. The Treasurer and the Minister of Revenue at that time brought this forward, really without consultation with the local municipalities, and the municipalities rightly responded by saying: "What exactly are you talking about? What will this mean? Where are the impact studies? What will this do?"

The issues of fairness and equity, clarity, understanding and justice in that system were not lost upon the local municipal councils, which were facing the financial pressures my colleague the member for Oshawa (Mr. Breaugh) referred to.

The member for Eglinton (Mr. McFadden) stated that property tax is not in any way equated

with ability to pay. It is my feeling that the motion we have before this House is somewhat simplistic. It is motherhood. It is something everyone in this House would support. We would all like to have lower property taxes at the municipal level. I say it is simplistic because it does not address any of the available alternatives.

This was debated when I was at the local municipal council. Time and again we talked about the need for better and more unconditional grants from the province, because the municipalities are funded by both property taxes and conditional grants which say, "In order to get provincial money, you must do this." Then there are the unconditional grants from the province which say: "Here is the money. Do with it as you please."

It raises the issue of local autonomy and accountability at the local level for those services that are perhaps different in that municipality from other areas around this province. That is the reason total reassessment of the province at market value was never possible, beginning in 1978.

I would like to state in this House, as I did on numerous occasions after speaking with my constituents in the east end of North York, that if one lived in North York and received the same services from the municipality—and in 1978 the average price of a home was approximately \$100,000—I would ask, "Do you think someone who has a home in North York valued at \$100,000 should be paying the same property tax as someone else in the city with a home valued at \$100,000?" The answer unanimously was yes.

I said to them, "Tell me, when you look at your tax assessment bill and see the value of your home assessed at \$10,000, \$15,000 or \$13,500, what does that mean to you?" The answer was: "We do not know what it means. We do not know because of the complicated formula." As I investigated, I found this was established in the 1940s. The assessors came in and counted the bathrooms and determined the square footage and whether the basement was finished.

What developed in this process was that people did not understand what their assessment meant. Because they did not understand it, they assumed, in many cases correctly, it was unfair that their next-door neighbour was assessed at \$12,500 while they were assessed at \$14,000. They would go through the process at the local municipal level to appeal their taxes, if they chose, and I do not think it was clarified there either.

At the municipal level, from 1978 until 1985, I said, "One of the fundamental important things we must do in any taxation system, whether property tax, sales tax or income tax, is to make sure people understand how we arrive at the base, how we arrive at the calculations and what the formula means. I always supported it. I was in a minority. Four of us supported market value as a measure in the late 1970s. At that time the value of a home was \$100,000; today it is perhaps \$150,000. I use that because it is important to note that it does change. Generally, housing is an inflation-proof investment and one's equity in housing remains strong and firm in our great province. People understand this.

11:30

On a personal basis, we have a house in the Huntsville area and it was subjected to market value assessment. When I received the assessment notice, it made sense to me. I knew everyone in the area whose home was assessed at the same value was paying the same tax rate.

If the member for Eglinton is suggesting—and I do not think he is—that we do away with property taxes, then I ask, is he suggesting a municipal income tax? Is he suggesting a municipal sales tax? Is he suggesting that the local council, in setting its tax rate, not have the ability to explain the cost of municipal services, the difference of services in its municipality compared to the services in other municipalities and why its taxes are higher because of the level of services it provides?

I will speak for a few minutes about my feelings on local autonomy and local option—I guess that is one of the words—and the ability of a local municipality to provide the services to its constituents. This is where the whole reason for a local council comes into being because the local council can institute a program that is funded by local municipal property taxes.

Unless we have some suggestion as to how we will change the funding of municipalities, it is not enough to say there should be lower municipal property taxes. We must look at what the impact will be if we say there will be a municipal income tax. We must say what the impact will be if a local municipal sales tax is permitted. We must say how we are going to do it. I wish to point out, as my colleague the member for Oshawa did, that the Treasurer and Minister of Revenue has done for the first time what I demanded time and time again, year after year, on local council, "Give us the information as to what the grant structure from the province will be so that we can do the long-term planning

that is required for sound fiscal management at the local municipal level."

It is very important that we not just have the province, Big Brother, send a cheque annually to the local council to spend. Municipal councillors must stand up at election time and say: "These are the services. This is what they are going to cost. This is what we intend to do." Unless we give them the opportunity for fiscal management and fiscal responsibility at the local level, we will create a situation where, because the councillors are not accountable for their spending, they will not have the local autonomy and strength that is important.

The Metro issue is a wider one. We could spend a lot of time debating the assessment of Metropolitan Toronto. I do not want to get into that debate, except to say that I believe people fundamentally support the policy that the services received in Metropolitan Toronto should be similar and that homes in Metro should be assessed, I would say, equally.

In closing, this motion is simplistic because it does not offer alternatives and options. It is motherhood and meaningless.

Mr. Partington: I am pleased to speak in support of the resolution of the member for Eglinton that the provincial government should immediately introduce tax reform measures to reduce the property tax burden on home owners and tenants.

"A man's house is his castle" and "In this world nothing is certain but death and taxes" are two often-quoted statements. However, in recent years it has become readily apparent that the scourge of taxes is seriously undermining the ability of many to acquire or retain a home, their castle. For most Canadians home ownership has been an important goal. Family members work hard and save their money, all in an effort to reach the goal of a family home.

Canadians, led by the promises of their federal and provincial governments, have come to regard home ownership as a fundamental component of our society, tantamount to a right. Over the past decade, however, this most laudable goal of home ownership has been under siege. Our tax system, particularly the increasing burden of property taxes, has served to undermine the dreams and hopes of many Ontario residents. Ever-increasing property taxes ensure that more and more of our families are unable to own their own homes.

Our tax system is vital from a number of perspectives. It influences our economic growth, employment prospects, international competi-

tiveness and the distribution of income throughout society. On a more basic level, our tax system plays an important role in regulating disposable income. The tax structure of the day not only significantly affects the amount of money each of us may have or earn but it can also determine how we spend those dollars the tax man leaves us.

It is clearly evident that our current tax system places an undue burden on property owners and as a result is threatening the ideal of home ownership. It appears that the most serious flaw in our tax system, as it relates to home ownership or rental real estate investment, has arisen because the costs associated with this type of investment are paid in after-tax dollars. In effect, these expenditures attract double taxation. The most obvious and onerous example of this is property taxes, which are paid with post-personal-income-tax dollars. Those who invest their money in the purchase of a home rather than acquiring other consumer items are financially penalized as they must then pay property taxes.

To take this example a step further, those who take the initiative to upgrade their homes, perhaps by adding a room or a fireplace, or more important, in an effort to bring their homes up to current standards, find that because their homes have increased in value they must now face increased property taxes. Once again their investment of funds has attracted increased levels and amounts of taxation. Furthermore, this expenditure is not just taxed twice, once through income tax and then through property tax; instead, this investment is taxed year after year, every time property taxes are paid on this home.

A number of groups are already on record as suggesting that significant changes to our tax system are required in the housing sector. The Canadian Real Estate Association in its recent brief to the federal government emphasized the need to re-establish neutrality in the tax treatment of home owners and real estate investors. They also pointed out, for example, that home ownership is a major form of savings for most Canadian households, which the tax system must not be allowed to undermine.

Having recognized that a serious problem exists, it appears clear that the government must act without further delay to remedy this inequity currently facing home owners or those who invest in rental properties. By implementing a tax structure that provides for the deductibility of items such as property taxes or mortgage interest from income tax, the government would be removing a significant disincentive to home ownership. Indeed, the fact that United States

home owners have enjoyed the benefit of mortgage interest deductibility for a number of years probably explains at least partially the different levels of home ownership in Canada and the US.

11:40

Encouraging home ownership would provide many spinoffs. First, it would relieve the excessive burden that is currently being placed on our rental accommodation stock. The inability of many lower-income families to locate suitable rental accommodation has had a serious social impact, which could be alleviated. Increased home ownership would also stimulate the housing industry and thereby create jobs.

It is estimated that each additional house generates two and a half person-years of work; so while the Treasurer may be forgoing certain tax revenues by making property taxes deductible, such a step could result in a positive net tax benefit because of the increased economic activity generated.

Furthermore, it must be remembered that home ownership is an important mechanism for saving for the future. In many instances, the equity one builds up in the home provides a significant portion of the money available to an individual during retirement years. As the pressure on our pension system increases in the years ahead, the funds generated by the sale of the family home will play an even more important role in ensuring adequate financial resources for our seniors. As well, the existence of a debt-free home provides fixed-income retirees with a source of low-cost housing that does not place an undue burden on their financial resources.

The unfair property tax burden not only affects home owners; it also hurts renters. Increased property taxes are obviously passed on to renters in the form of higher rents, notwithstanding the presence of rent controls. At the same time, high property taxes and the inequitable tax structure facing investors in the housing sector discourage the construction of rental units. This in turn has led to low vacancy rates, which also hurt those who must rent.

In short, the situation cannot and must not be allowed to continue. Home ownership must be encouraged, not discouraged. Any tax system that financially penalizes home owners must be changed without further delay. Our current tax system does not even treat those who invest in a family home or rental unit equitably; instead, it seriously penalizes those individuals year after year.

Raising property taxes and the current taxation methods for property-related investments provides an unnecessary impediment to economic growth in this province. A restructured tax system would encourage home ownership and investment in property. Not only would the purchase of a family home return to being a sound financial investment, but there would also be increased construction in the rental housing market. In the end, more people would be investing in and upgrading their own houses, acquiring an equity that would be available to them in their retirement years. At the same time, the burden on our rental housing stock would be lightened by decreased demand and increased construction of these units. Those who, for whatever reason, were unable or who did not wish to invest in a home of their own at least would be able to locate suitable rental accommodation.

The problems I have just outlined are sure to continue unabated if immediate tax reform does not occur. This situation cannot last any longer. The government must act now, and act without further delay.

Mr. Warner: We are discussing property tax and the entire property tax system. Of course, we all know who put it in place. We also all know that the Tories, when they were in power, with respect to the property tax system, accomplished for tenants and home owners about the same thing as Colonel Sanders accomplished for the chicken population.

What we have in Ontario with respect to property tax, quite frankly, is a mess. I do not think any reasonable person could say the tax system is fair. It is not fair. There have been fumbling and bumbling attempts to bring in some form of market value assessment. I respectfully suggest that, rather than debating whether one street or the next has the right amount of tax levied on it or whether the market value system is reasonable and fair enough to extend across the province, we should start by taking a look at the basic structure.

The basic structure has three components, the first one of which I always thought was the basic reason for a property tax; it is a tax for water, hydro, police services, fire protection, ambulance services—the basic services provided to property. The previous government decided that was not enough. They thought: “Why do we not load a whole lot of other things on the tax system for both home owners and tenants? Let them pay for social programs. Let them bear the cost of education.” The city of Toronto does not receive

a single penny from the province for education. It pays the whole shot itself out of the property tax. The city of Scarborough is not much further ahead; I think a grand total of eight per cent of its education costs comes from the province and the other 92 per cent comes out of the property tax.

The government's idea was to load the system of day care service, public health—whatever program we want to name—on the property tax. That was the Tories' approach for 40 years. Now, sitting in opposition, they suddenly realize they have created a monster, and they want somehow to slay the monster. The best we have before us this morning is, "That in the opinion of this House, the provincial government should immediately introduce tax reform measures to reduce the property tax burden on home owners and tenants." That is it. That is zip. That is not very helpful.

I try to be a normal, reasonable person. As most people in the House realize, I am not given to mean and vicious attacks on other members of the assembly, but frankly I would have expected a great deal more from the member for Eglinton.

An hon. member: Particularly with the kind of trouble in his constituency.

Mr. Warner: I fully realize the pressure the member is under from his constituents, many of whom want him to resign. Surely to goodness he could have come up with something a little more helpful.

For example, a few years ago, in what some would have described as a somewhat transparent attempt to purchase seniors' votes, they introduced a property tax cheque. Not the credit: all of us under the age 65 fill out a little form and we hope to get a few dollars back from the province through the property tax credit, and seniors are entitled to up to \$500. That was issued in an election year. However, that amount has not been altered in 10 years; but does the member for Eglinton include in his suggestion that we should alter and enrich the property tax credit to seniors? No.

Is there anything in the member's resolution to say we should ensure that the province's share of education tax is at least 60 per cent? No. Is there anything in his resolution to say social services are the responsibility of the province and thus should be removed from the property tax? No. Does he suggest only services to property should be the basis for property tax? No, he does not.

Unfortunately, we are being asked this morning to support something that is nothing. I am puzzled as to what this resolution is going to accomplish. I would have been a little happier

had the member for Eglinton stood in his place and said: "I apologize on behalf of the Conservative Party for having created this monstrous mess. Now I have a series of items that will correct the mess we created." I listened very carefully to the member for Eglinton, and I did not hear a single apology. I did not hear one acknowledgement that he and his little band from the Royal Ontario Museum created this monstrous mess and were prepared to address each item in the mess that was created. I am really disappointed.

11:50

Property tax reform is a serious matter. If the government of the day has the political will, it is going to take a long time to unravel this and to bring in the reform measures that are needed to clean up the system. I suggest that at the bottom of it are two basic principles that must be addressed but are sadly lacking from the resolution. One is that a tax on property should be for services. The other is that whatever system you introduce must be fair to individuals and surely should reflect in some measure their ability to pay. We do not do that in our tax system, but that is what we should be addressing.

Obviously, we are going to be asked whether we support this measure. It is so ineffectual that it is easy to support. However, it disturbs me that we do not have a very considerable resolution in front of us, one that itemizes step by step the reform that is needed so we can get on with the job.

Finally, the government of the day does not escape unscathed. It has been in office for slightly more than a year and a half. I have not seen a single item that would address basic tax reform. The government cannot sit idly by and say, "The Tories messed it all up and that is too bad." The government has not done a thing.

I am pleased to report that my own party has spent a considerable amount of time on this and has put together some very thoughtful documents on tax reform. These documents were not well received by the previous government and apparently are not terribly well received by the present government. We will bring in tax reform when we are the government.

Mr. Speaker: I think the member for Eglinton has 355 seconds remaining.

Mr. McFadden: Thank you for those seconds, Mr. Speaker.

I listened with great interest to the comments this morning of the member for Oshawa, the member for Oriole (Ms. Caplan), the member for Brock (Mr. Partington) and the member for

Scarborough-Ellesmere (Mr. Warner). It has been mentioned that this resolution is quite general in approach. It was intended to be that way, because I was seeking to start off with a first principle from which we could move on to more detailed tax policy in the future. By submitting this resolution to the House today, I was seeking to get a declaration from the House that in principle it favours the reduction of the property tax burden on residential properties. By agreeing to that at least in principle, we can move from there to consider the ways in which it can be done.

However, I agree with previous speakers that the current system has developed over the years to meet all kinds of changing demands at the municipal level for all kinds of services that were not originally envisaged when the whole system of property taxes was evolved decades ago.

I would suggest that from here we should move on, perhaps by referral to a select committee of this House, to a standing committee or by whatever other means is available, to consider all the alternatives that would be available in the tax system to achieve this objective. There could be a whole variety of those, but I would like us today at least to declare our support in principle for reducing the property tax burden on residential properties. From there we can move more specifically to the ways in which that can be done.

With regard to the whole market value assessment scheme, this is private members' hour, and I should tell you, Mr. Speaker, I was never in favour of a compulsory imposition of market value assessment throughout this province. I felt it would create some very severe dislocations and hardships in neighbourhoods throughout this province. I remain convinced there should never be a compulsory imposition of market value assessment in Ontario. I would prefer us to look instead at ways to reform the property tax system.

Some of the serious problems that have been referred to by the honourable members here have evolved over the past number of years in particular as demands on municipalities for services have gone up and as the demands have

gone up for government generally. The anomalies have developed as the price of property has inflated so dramatically over the past 10 years.

As the member for Oshawa has stated, you can have a situation where somebody in a very modest home winds up living in an area that is subjected to extremes of property speculation or in an area that is particularly attractive to live in for reasons that in no way relate to the home owner who is living in that modest home. Yet if we went to market value assessment, those properties would experience sudden and dramatic increases in property taxes.

As I mentioned in my remarks to this House, I have no illusions about the difficulty of achieving some kind of tax reform that would make the system a little fairer and a little more equitable. I also do not believe we can eliminate property taxes altogether, because very clearly they are needed for local services. Our problem now is an imbalance in the system that has to be remedied.

I support the concerns raised by the member for Oriole with regard to local autonomy. I would not want to see a reduction of the tax burden on residential properties lead to any form of destruction or undermining of the autonomy of our municipalities, because the kinds of services that municipalities are delivering should properly be in local hands, and the municipalities, as far as is possible, should have the taxing power to deliver those services.

It is a very delicate balance we are seeking to develop here in Ontario, and I hope this resolution can be a first step towards a system that would be fairer and that would reduce the overall tax burden on residential property.

DETROIT INCINERATOR

Mr. Speaker: Mr. Newman has moved resolution 66.

Motion agreed to.

PROPERTY ASSESSMENT

Mr. Speaker: Mr. McFadden has moved resolution 65.

Motion agreed to.

The House recessed at 12 noon.

AFTERNOON SITTING

The House resumed at 1:30 p.m.

MEMBERS' STATEMENTS

GOVERNMENT AUTOMOBILES

Mr. McLean: There is a very important statement that I want to make today. I had hoped there would be more than five members on the government side to listen to it. In fact, I would like to have some ministers here to listen to it because it pertains to them. Is there a quorum, Mr. Speaker?

Mr. Speaker: The member has asked for a quorum count. There is a quorum.

Mr. McLean: Some time ago, I asked the Minister of Transportation and Communications (Mr. Fulton) a question pertaining to the number of persons in the provincial government who have automobiles assigned to them. The question was: How many civil servants and members have cars assigned to them? This is basically a simple question, and I was looking for a straightforward and uncomplicated answer. This week I received a reply that there is apparently not enough time to reply to my question and that I must wait until January 15, 1987, for a reply. I had asked the question some months ago.

It is rather odd that a minister of transportation does not have at his fingertips on a computer printout a listing of such major assets as the government automobiles and the ministers, members, those in the civil service and other government employees to whom they are assigned.

AUTOMOBILE INSURANCE

Mr. Swart: On Tuesday the Minister of Financial Institutions (Mr. Kwinter), in answer to a question from me, said that the Manitoba public insurance plan will lose \$4 million this year and that premiums in British Columbia for one million motorists will rise by \$1 to \$25 and for 250,000 drivers by \$25 to \$50.

He neglected to mention that the premiums in BC had dropped by six per cent in the previous two years. He also neglected to mention that in the same three years Ontario's rates will have increased by five to eight times as much as they have in British Columbia. He also neglected to mention that, according to his own figures in defence of the insurance companies, they paid out in claims \$1.31 for every dollar of premiums

and that auto insurers in Ontario lost three quarters of a billion dollars last year alone.

If the minister asks the people of Ontario whether they would rather have a public auto insurance system that increases their rates by an average of less than \$25 in three years compared to the private system here that increases them by an average of \$200, he will get a resounding yes. If the minister asks the people of Ontario if they want the kind of Manitoba public insurance system that has a six-year surplus of \$54 million instead of a system here that says it has lost \$1 billion, he will get a resounding yes. If the minister asks the people of this province if they want to get rid of the minister who defends the giant insurance companies here and bring in a minister who will implement a people-oriented public plan such as the Manitoba plan, he will get the greatest resounding yes of all.

FOOTBALL CHAMPIONSHIP

Ms. E. J. Smith: I would be remiss in my duties as a representative of the city of London if I did not offer my best wishes and strong encouragement to the University of Western Ontario Mustangs as they battle for the Canadian university football championship this Saturday.

The Mustangs have had an outstanding year, going undefeated through the regular season and beating McMaster, Guelph and Acadia in the playoffs. Two outstanding players, Blake Marshall and Matt Janes, have been nominated for national awards. Obviously, Western is living up to its tradition of excellence. A few years ago, Western faced the University of British Columbia Thunderbirds for the Vanier Cup. I am confident that this year these western birds will be no match for our eastern Mustangs.

On behalf of the Premier (Mr. Peterson), the Minister without Portfolio responsible for senior citizens' affairs (Mr. Van Horne), myself and the member for Middlesex (Mr. Reycraft), I offer my best wishes to Coach Larry Haylor and the UWO Mustangs for this Saturday. I know the House will join me in wishing them well.

CHAMBER OF COMMERCE MEETING

Mr. Pierce: I would like to bring before this House a serious injustice against the population of northwestern Ontario by the Liberal government, specifically the Premier and his cabinet. The Northwestern Ontario Associated Chambers of Commerce have been refused by the Premier

enough time with cabinet to discuss their 24 resolutions at a scheduled meeting on December 1. Historically, every year this group has always had the amount of time required with cabinet to present its concerns and resolutions.

Of the 24 resolutions the Northwestern Ontario Associated Chambers of Commerce would like to present for review, the Premier and his cabinet have informed this organization that they have time to review only approximately 10 of its resolutions. The Liberal government, which is a government that says it wants to hear the concerns of the north and is prepared to be available to listen to these concerns, is actually not available.

The Northwestern Ontario Associated Chambers of Commerce represent a broad sector of the northern population. I feel they should have the time needed to present all their resolutions to cabinet. Considering the amount of time and the money each individual chamber member is prepared to spend to familiarize the Ontario cabinet with the issues in the north, I respectfully request the Premier to reconsider the amount of time that has been allocated for this group to present its resolutions.

PAY EQUITY LEGISLATION

Ms. Gigantes: Yesterday I questioned the minister responsible for women's issues (Mr. Scott) about statements he was reported to have made concerning whether private employers would have to provide equal pay adjustments in addition to annual wage increases. He assured me in this House that he had merely been explaining to business representatives that equal pay adjustments would cost employers "less than the inflationary increases that employers normally have to bear in normal market circumstances."

I have listened to a tape of what he actually said. He told the employers: "We are going to try and help you in this way by saying that, of the amount that you allocate annually to wage increases, a certain proportion should be devoted to dealing with this adjustment."

He continued: "Inflation is at four per cent. If you are increasing wages two per cent, a certain proportion of that two per cent should be directed to solving this discrepancy over a period of time."

Yesterday afternoon I accepted the minister's statement to this House that he had not told employers that workers, rather than employers, would pay the cost of equal pay adjustments. I know now that the minister was not misunderstood by the media, as he told us yesterday.

Rather, we misunderstood him if we believed his words yesterday.

I believed him. I was wrong. He lied.

Mr. Speaker: Order. Would the member for Ottawa Centre reconsider the last word and remove that from the record?

Ms. Gigantes: Sir, I do not feel I can.

Mr. Speaker: I have no other choice but to name the member.

Ms. Gigantes left the chamber.

FOOTBALL CHAMPIONSHIP

Mr. Ferraro: After that performance, I was a little reluctant to stand up.

I join with the member for London South (Ms. E. J. Smith) in wishing the University of Western Ontario luck this weekend. I really want to make sure the record indicates that the only reason the University of Western Ontario is there is that the most outstanding player is a Guelph boy by the name of Blake Marshall, who is leading the nation in rushing. Indeed, if he does not win the Hec Creighton trophy, that will be a real injustice.

I add my best wishes to the University of Western Ontario. In particular, I know I speak on behalf of all of Guelph in wishing Blake Marshall the best in this coming game on Saturday.

LATVIAN INDEPENDENCE

Mr. Shymko: On a more moderate tone, today I remind the honourable members that November 18, last Tuesday, marked the 68th anniversary of the proclamation of independence of Latvia, which was recognized by the British government in November 1918.

I had expected the Minister without Portfolio responsible for citizenship and culture (Mr. Ruprecht), the Minister of Citizenship and Culture (Ms. Munro) or perhaps the Premier (Mr. Peterson) to make a statement in the House on this occasion. We have had proclamations to that effect in the past; we have had statements from ministers in the House. I just hope the tradition of the resolutions that are binding on all Premiers to proclaim these days, passed some years ago by this Legislature, will continue.

Therefore, I remind honourable members that these special days are very important in reminding us of the cause of freedom, justice and peace for which these peoples proclaim their states independent and democratic.

Mr. Foulds: On a point of privilege, Mr. Speaker: As a graduate of the University of British Columbia and in the interests of Canadian

unity, I think there should be some expression of support for the UBC team at the football game this weekend. I want to indicate that this Legislature is not a narrow, parochial, provincial legislature.

Mr. Speaker: That is certainly a new point of privilege. It is very interesting information. The Minister of the Environment.

Mr. Andrewes: Give the minister 30 seconds to catch his breath.

Hon. Mr. Bradley: First, I appreciate the opportunity to be able to breathe because, as the members know, the weather conditions today are such that it is very difficult to move quickly.

Mr. Stevenson: If the minister were to clean up the air in Ontario, he would not be so winded.

Hon. Mr. Bradley: All these disparaging remarks from my friends on the other side give me an opportunity to catch my breath.

13:41

STATEMENT BY THE MINISTRY AND RESPONSE

MISA PROGRAM

Hon. Mr. Bradley: Last June, in tabling our white paper on the municipal-industrial strategy for abatement, or MISA, I advised the House that a committee drawn from the public would be established to provide advice on the program's regulations.

Today I am pleased to announce the membership of the MISA advisory committee. The committee will help ensure that MISA achieves our objective to choke the flow of toxic contaminants into Ontario's waterways.

We have assembled for this committee some of the finest, independent, technical and environmental people in Ontario. We have chosen people with expertise and experience, some of whom have been forceful critics of the government.

The committee chairman is Douglas Hallett. Dr. Hallett is an environmental biologist, biochemist and analytical chemist. He brings to this committee a wealth of knowledge and experience and a passionate concern for Ontario's environment and for the health of future generations. The vice-chairman is Toby Vigod, counsel with the Canadian Environmental Law Association. Ms. Vigod possesses expertise in environmental law and a history of dedicated service in this field.

The remaining members are Monica Campbell, a toxicologist at the University of Toronto; Harvey Clare, a retired environmental protection co-ordinator for Imperial Oil Ltd.; Dr. Paul

Hebert, professor of biology at the Great Lakes Institute in Windsor; Dr. Donald Mackay, a University of Toronto professor in the departments of chemical engineering, applied chemistry and the Institute for Environmental Studies; James McLaren, a consultant who specializes in environmental engineering and policy management, and Kai Millyard, a researcher with the Pollution Probe Foundation.

I am confident that the advisory committee will serve as an effective complement to the eight joint industry-government technical committees, four of which are already in the preregulation consultation and pilot monitoring phase, and to the municipal-government technical committee.

The advisory committee will review the draft monitoring and abatement regulations formulated by the technical committees and provide advice and recommendations to me on their contents.

In addition to the members I have named, a rotating industrial representative from each sector will be a member of the advisory committee when the matters pertaining to this sector are being reviewed. This will apply to the municipal sector regulations too. As well, a public member will be named to each of the joint technical committees.

We expect our MISA program, and thus our environment and the people of Ontario, to benefit from the committee's contributions and advice.

I know their views, along with the excellent work already under way in several of the technical committees and within my ministry, will help this government turn the tide at long last against water pollution.

Mr. Andrewes: We would like to respond in some detail to the minister's statement but, like the minister, the statement arrived quite late. However, I believe my colleague the member for Mississauga South (Mrs. Marland) is prepared to respond in some greater detail.

Mrs. Marland: In trying to catch up with the minister catching up with his own breath, I am trying to follow his statement. I recognize that the purpose of the municipal-industrial strategy for abatement is, as it says, to choke the flow of toxic contaminants into Ontario's waterways. I do not know whether Ontario's waterways are limited to those that flow out of Ontario; I wonder whether they also include those waters that flow along the northern shores of Lake Ontario.

That is a problem for me, as the member for Mississauga South. The entire southern boundary of my riding is the north shore of Lake Ontario. Will the minister see that a concern

about the condition of the water of Lake Ontario is addressed by MISA? Although Ontario's waterways contribute to the problem, certainly no less a contribution is made by what is coming out of the northern shore of New York state and the Niagara area.

Mr. Rowe: On a point of order, Mr. Speaker: I wonder whether I might seek the unanimous consent of the House to acknowledge an important event for a moment or two.

Mr. Speaker: Is there unanimous agreement?
Agreed to.

GRANTING OF EXIT VISA

Mr. Rowe: All members of this assembly will recall the case of Kaisa Randpere, the young child kept from her parents in Soviet-controlled Estonia. I am pleased today to inform all members of the House that last evening little Kaisa was granted an exit visa and will soon be reunited with her parents.

We in this House sometimes feel that many of our efforts are in vain. I want to take this opportunity to say to my colleagues, not only have our voices been heard but also our efforts have not been in vain. I thank all my colleagues who wrote to the Soviet Union on behalf of Kaisa, urging that country to reunite her with her family.

As well, I thank all members of the media who assisted greatly in making this case so well known, not only throughout Ontario but also across our great country of Canada. As an honorary member of the committee to free Kaisa, I personally thank all those in the province who participated in one way or another to help reunite this little girl with her parents.

Hon. Mr. Nixon: I want to join with the honourable member in expressing our joy at this news. I remember very well when the matter was of direct concern to many members of the Legislature.

If I may, I will take a moment and inform the honourable member that I had the extremely interesting experience, not of visiting Estonia but of going to Latvia, which was referred to in a statement a moment ago. Latvia is suffering similar circumstances in the oppression of some minorities, particularly some of the Jewish people in that area. At that time, along with a group of people from Canada, we visited a number of Jewish families.

I sincerely hope the announcement the honourable member has made to the House and which was greeted with so much joy by this House is a further indication that the government of the

Soviet Union is relenting on some of its oppressive policies. I believe there are many indications that this is so. I, for one, will be looking for further announcements of the type the honourable member has made to this House. We earnestly hope for them.

Mr. Rae: It is important for us to remember that the victims of oppression are not nameless and that one of the great friends of totalitarianism is the attempt to erase names, identities, memories and families. The kind of campaign we have been involved in as a Legislature on behalf of little Kaisa is an indication of our determination as a people to remember the victims of oppression inside the Soviet Union and to continue to take whatever action we can to make sure they are remembered and, as in this happy case, successfully reunited with their families.

RELEASE OF REPORT

Mr. Andrewes: On a point of privilege, Mr. Speaker: This morning, at a press conference in the media studio, I was able to obtain a copy of a draft document entitled An Act to amend the Nursing Homes Act. I understand this document has been shared with members of the media and members of the New Democratic Party. I find my privileges have been offended, because neither this party nor its critic has been able to access this document until this morning at a public press conference.

Mr. D. S. Cooke: I want to make the point to the Conservative caucus that the government has not shared that document with us. We released the document a few weeks ago when we came upon the document from other people. It certainly has not been the government that shared any of that information with this party.

Hon. Mr. Elston: Each of the parties knows we have been consulting rather widely in this matter. We have been meeting with a number of community-based groups and people interested in the needs of the nursing home sector. It may be of some difficulty to the member who speaks on behalf of the official opposition when he acknowledges that it has no friends with respect to that group. The people had indicated they got the information through some of the groups with whom we had been sharing the information and from whom we had been collecting their returns.

I can tell the honourable gentleman we will in due course release the approved amendments to the Nursing Homes Act from our point of view and bring them to the Legislative Assembly in their final form. The material that was released today was not the final form, which we will share

with all members of the Legislature. I am sure the member will be happy to support them in every respect, because he will want to advance the rights and benefits to the nursing home residents.

Mr. Speaker: Having read many of the previous Speakers' rulings on very similar points of privilege, I must say that on previous occasions Speakers have responded to such a point of privilege by stating that the Speaker has no responsibility for what takes place outside this House and have on many occasions suggested it possibly would be common courtesy, if there were announcements, etc., made outside, that other members should be informed. However, it is not up to the Speaker to make that decision. The only thing I can say is that I cannot consider it a point of privilege.

Mr. Andrewes: Common courtesy is perhaps the proper terminology for it. The minister is becoming as unctuous as the Attorney General (Mr. Scott).

13:53

ORAL QUESTIONS

NURSING HOMES LEGISLATION

Mr. Andrewes: My question is to the Minister of Health. Now that we have had an opportunity to review this document, which again is clearly labelled a draft document, section 17b of the draft amendments to the Nursing Homes Act calls for the appointment by the minister of a nursing home residents' representative who shall report to the minister. Does the minister not agree that for an advocate to be truly free and to act on behalf of residents of nursing homes, the advocate must be independent of the ministry?

Hon. Mr. Elston: From my point of view, advocates, those people who have at heart the interests of the residents, can perform in a number of fashions and in a number of forums. From my standpoint, the draft which the member is reading from provides one of those options. We will be considering it in the final form of legislation here in the Legislative Assembly. For the member to presume that draft speaks to the final shape of the amendment is presumptuous.

I think all of us will want to move rather quickly when we have the Nursing Homes Act amendments in front of us. Since the honourable gentleman has already obtained a copy of those amendments in that form, I am sure he will provide me with written submissions with respect to what his interests are on the various sections. I will welcome those. When the proper time comes, I am sure we will have several

people who will want to provide us, through committee, with input to make the legislation very good in the interests of the residents of the nursing homes of the province.

Mr. Andrewes: The minister's flexibility is somewhat heartening. On the other hand, perhaps he will have to access our documents by the same method that we access his.

Clauses 2(a) and (b) of this draft bill set out the role of the proposed nursing home residents' representative. I fail to see in any of these sections a mechanism whereby the residents' representative can take a complaint on behalf of a resident, have it adjudicated and have that decision enforced. Can the minister describe how the proposed amendments to the Nursing Homes Act will provide a mechanism to respond to complaints lodged by residents through the residents' representative?

Hon. Mr. Elston: We have a number of ways already of adjudicating those complaints. There is the inspection process, and if there are more serious violations, there are opportunities to access through the courts. The member knows that.

The reorganization of the nursing homes branch will provide us with a much quicker way of getting access to the difficulties that cause complaints to be lodged in the first place. All of us would like to see an enhanced role for the residents' council to provide some building up of the opportunities to achieve early resolution of the problems that may persist in the nursing home where the complaint originated.

Mr. Andrewes: The minister is a complete captive of his bureaucrats.

Mr. Speaker: Is that your question?

Mr. Andrewes: Does the minister not agree that the time has come to implement an Ontario-made patients' bill of rights, an independent office of patient advocate with adequate financial resources and an effective mechanism for enforcing the provisions of the patients' bill of rights that is independent of the Ministry of Health?

Hon. Mr. Elston: The honourable gentleman will probably acknowledge that because this deals with the residents of nursing homes, it cannot be fully independent from the Ministry of Health in terms of a bill of rights. The bill of rights, or whatever might be included in a later draft, might very well be nothing but independent because those rights go with the resident. I cannot see how the bill of rights can be tied to the Ministry of Health, but if the member will

provide me with his thoughts on that, I will be pleased to consider them when the final draft is brought forward.

LOW-INCOME WORKERS

Mr. Shymko: I wanted to address my question to the minister responsible for women's issues (Mr. Scott) or to the Minister of Labour (Mr. Wrye). In their absence, I am stuck with asking the question of the acting Minister of Government Services.

How can that minister justify his government's concern about pay equity and sensitivity to women's issues and minority issues when right under his own nose, his government refuses to apply even the principle of equal pay for equal work in its shameful exploitation of immigrant Portuguese women? They are paid only \$5 per hour to clean members' offices in the Whitney Block and the Frost Building, while the staff in the Legislative Building clean offices, do the same work and are paid \$9.01 per hour. How can he justify this shameful exploitation?

14:00

Hon. Mr. Conway: I know it is a stormy day, but to have my friend the member for High Park-Swansea start his question by lamenting that he is stuck with me is not an encouraging sign.

Mr. Davis: Stop playing around and answer the question.

Mr. Speaker: Order.

Hon. Mr. Conway: I am trying to respond to the question. If the member for High Park-Swansea could contain his exuberant colleagues the member for Scarborough Centre (Mr. Davis) and the member for Cornwall (Mr. Guindon), it might be easier.

I would like the opportunity to check very carefully the information that the honourable member has so dispassionately put before the assembly. My experience with this kind of information is that it bears very careful scrutiny and examination. I will be very pleased to assure the member that, in my understanding of the practices of the Ministry of Government Services, we are very fair; we apply the fair labour practices of the Ministry of Labour. However, I give the member an undertaking that I will receive his information and look very carefully to understand what precisely is going on.

Mr. Shymko: It is unbelievable that after two years the minister is saying he will try to find out about or check on this issue. He knows very well he is contracting out these jobs in a shameful way

whereby contracting-out policy has become a means of social and economic injustice reminiscent of the 19th-century sweatshops. He should stop posturing with his sanctimonious statements. Let him explain to me why half the salary—

Interjections.

Mr. Speaker: Order. Was the question, "Do you agree?"

Hon. Mr. Conway: One could be provocative and say that, given the practices of an administration of which the member counted himself a supporter from 1981 to 1985, that position from that member on that side is nothing short of breath-taking.

If the honourable member was unhappy about the contracting-out policy his Conservative administration embraced with an increased enthusiasm in the early years of the 1980s, I am sure he made that point to his colleague the Leader of the Opposition (Mr. Grossman), who was then the Treasurer, to say nothing of what he might have offered to his friend the member for Muskoka (Mr. F. S. Miller).

We in the ministry are ensuring that we provide the fairest possible treatment; and not just to our permanent complement, we also see that those contracted-out employees are employed in accordance with the fair labour practices of the Ministry of Labour.

I repeat that I will take the member's question in his speech as notice; I will check it against the facts and report back to him.

Mr. Shymko: The Minister of Labour has just arrived. Maybe he can answer the question more fully.

Having discovered the so-called \$400 million in the minister's coffers, even when he contracts out one would think that when one has Bill 105 on pay equity, when one has a private member from Hamilton East trying to redress social injustice, they would at least find some money to give equal pay for equal work for these few women. This bill will not redress it.

Mr. Speaker: Order. I am at a loss. Are we talking about Bill 105? Was that a question?

Mr. Shymko: I said in my question that there is legislation before this House addressing the issue of pay equity.

Mr. Speaker: Order. Is the minister aware of that?

Mr. Shymko: I am upset because you did not allow me to complete my question.

Mr. Speaker: I could advise the member of the time.

Hon. Mr. Conway: The best response I can offer to the histrionics of the member for High Park-Swansea is the one I have already given. This government has ensured that those employees who are working within the government on a contracted-out basis are working within the fair labour practices of the Ministry of Labour.

I repeat that I will take the member's submission this afternoon, review it very carefully and report back to him shortly. I do not want to see the apoplexy of my good friend from west Toronto continue in this almost-Christmas season.

WORKERS' COMPENSATION

Mr. Rae: I have a question for the Minister of Labour. In fact, I have several questions for him. I am sure the minister is aware of the testimony given today by Mrs. Larcher, a 77-year-old widow from Timmins whose husband died of lung cancer. He was a gold miner for several decades in Timmins.

Literally hundreds of women and children are in the same position as Mrs. Larcher, without any form of compensation whatsoever after their husbands have died of cancer. Dozens of miners with lung cancer are still alive and receiving no compensation at present. The ministry has had studies for more than a decade indicating the relationship between exposure to substances underground and cancer.

Given these facts, can the minister justify to this House the incredible delay in affording compensation to the survivors of miners who have died of cancer?

Hon. Mr. Wrye: There are two issues here. There is the issue of whether a causal relationship, an occupational relationship, has been established. In presenting the second Muller report, it was made clear that we had reached a point in Dr. Muller's findings where there was a relationship. The next issue then becomes the criteria that ought to be established, whether they should be that anyone who worked underground in gold mines or uranium mines or mixed ore mines at any time and for any length of time during the past 50 years ought to receive compensation for certain kinds of cancer or whether there ought to be limitations and standards.

That is why the findings of Dr. Muller have been sent to the Industrial Disease Standards Panel, which has representation from business, from labour and from the scientific community. The panel has set about trying to define what criteria, if any, and exactly what standards ought

to be set. It was to the panel that this unfortunate widow spoke—last Friday, I believe, certainly last week. I look forward to hearing the findings they come up with.

Mr. Rae: The minister has been in office for a year and a half. During that time, scientific information to the representatives of those widows and those survivors has systematically been denied by his ministry. They have been denied access to reports they had been promised literally months ago. The minister has failed to meet even the most modest request for information and assistance.

Given that incredible litany and the core fact that to date no one has been compensated, can the minister tell us why he should not simply submit his resignation, since he is clearly not capable of doing his job in Ontario?

14:10

Hon. Mr. Wrye: With all due respect, it was either the honourable gentleman or his colleague, my friend the member for Sudbury East (Mr. Martel), who in the spring of this year was on his feet about the Muller study, which was being peer-reviewed, demanding that the peer review extend to a representative of the United Steelworkers of America union. This minister stood up and said we would gladly do that and open up the peer review system.

I believe the leader of the third party is referring to an allegation in a letter I have received from Mr. Gerard, which I read on my way to question period, an allegation that copies of the Muller study, the original draft, the peer reviews, have not been made available to the steelworkers union. I was not able to get in touch with my officials to find out whether that is so and, if so, why it should not be given. I believe it should be given and I do not mind saying that. I will communicate that to my officials on my return from question period.

Mr. Rae: One can conclude one of two things: either the minister is utterly incompetent or he is intentionally denying information to people who are entitled to that information. Whichever of these is true, it is the view of our caucus that the minister should resign. The minister is not doing his job on behalf of the working people of this province and we intend to show that today in the Legislature.

In 1986, we have had 2,000 accidents a day in Ontario, the highest accident rate in the history of this province. This year, for the first year, we have had a death every working day. Given this miserable record and the minister's failure to enforce the law and to do what needs to be done

to make sure that employers are brought to heel and that we finally get some safety and help for the working people of this province, why does the minister not do the decent thing for once and submit his resignation today?

Hon. Mr. Wrye: I do not intend to submit my resignation because I think this minister, on behalf of this government, has done more in the first 17 months of this administration to enhance health and safety than was done in many, many years. We on this side do not take a back seat to anyone on that side, in the official opposition or in the third party, in our care and concern about working people in Ontario.

I just came back from a luncheon speech to a group of electrical contractors. I reminded them very forcefully of their obligations and reminded them that the lost-time accident rate in this province remains unacceptably high. That is one reason my colleague the Treasurer (Mr. Nixon) has given me an immediate increase in construction safety inspectors. The fact that we have—

Mr. Martel: The fact is that you have fewer than they had in 1981. Do not come here with that nonsense.

Mr. Speaker: Order, the member for Sudbury East. New question, the member for York South.

Mr. Rae: So that it is clearly on the record, the comments made by my friend the member for Sudbury East are worth repeating to the minister. There are fewer inspectors with him as Minister of Labour than there were in 1981. Let that fact stick with the minister for a while.

SEVERANCE PAY

Mr. Rae: Let us move on to another area of the minister's responsibility, the whole question of severance pay and what happens to workers who are laid off, fired and victimized as a result of bankruptcy.

When the former Clerk of this Legislature was asked to retire, the Premier (Mr. Peterson) stood in his place and said there was such a thing as normal commercial practice with respect to people who are laid off, that it was normal commercial practice for people with these high executive jobs to be paid a year, two years or three years of severance.

How does the minister feel about the tens of thousands of employees who are not covered by the 50-employee rule and who receive for severance a double goose-egg, nothing, in Ontario, for workers who have been there for 20, 30 and 40 years. He is a member of a cabinet that paid out \$2 million in compensation to one individual and tens of thousands of dollars to

other senior civil servants. What about the ordinary working people? What is being done for them?

Hon. Mr. Wrye: I would have thought the honourable member would have acknowledged to the House and to the people of Ontario that on Tuesday this Legislature gave third reading to Bill 128. It is the only piece of legislation in the whole country that I know that seeks to undo the very regressive actions of the federal government, actions that will make a reduction in severance pay provisions useless, reductions that deem severance pay is deducted dollar for dollar from unemployment insurance.

Consequently, as this government prepares to move forward with new innovations and new standards on severance pay, we feel it is important that we become the first jurisdiction in Canada to ensure that severance pay will actually be paid to workers where it is deemed appropriate.

Mr. Rae: The minister is telling us he is proud of the achievement of the Liberal Party in bringing this province up to the level that it achieved in 1981, 1982 and 1983 under Russ Ramsay when he was Minister of Labour. That is the record on which he is standing. It does not do anything for people who do not get any severance pay.

Let us look at another area where the government promised something and has not delivered, where it has done absolutely nothing. On November 25, 1985, a report of Donald Brown, QC, which had been delayed since June 1983, was issued. Dr. Brown was appointed in June 1983 as the sole commissioner to inquire into wage protection and insolvency situations. Here was the Minister of Labour speaking last year: "‘Mr. Brown recommends that actual wage arrears, vacation pay and some benefits be protected by amendment to the Employment Standards Act,’ Labour Minister Wrye noted."

Mr. Speaker: The question, please.

Mr. Rae: What has the minister done in the past year for those workers who have been laid off and left out on the street without back wages because of bankruptcies? He has done absolutely nothing. Why does he not resign in the face of that fact alone?

Hon. Mr. Wrye: We can talk about a lot of individual circumstances within the Employment Standards Act, but it ought to be pointed out that this is exactly the problem. The government has decided to move forward with a package of amendments that includes the first two instances

the leader of the third party has raised. When they are ready to go as part of a package of amendments to the Employment Standards Act, they will be presented to the Legislature.

When those amendments are presented, I know the leader of the third party and his colleagues will be pleased with the progress we have made in terms of severance pay and protecting workers and their pay in terms of bankruptcies, and that he will be pleased with the very progressive reforms that will put Ontario on the leading edge of employment standards anywhere in the country.

Mr. Rae: Can the minister explain the suppression of information, the failure to produce the Coopers and Lybrand report on health and safety, the suppression of information to those groups that want to represent workers that have not had it and the failure to do the things that were promised, such as protecting workers who were fired, laid off or the victims of bankruptcy?

Can the minister possibly justify a year and a half in which none of those problems was addressed when, at the same time, more people are being killed on the job today than on May 2, 1985? More people are being injured today than there were on May 2, 1985. Are those facts alone not sufficient for the minister to submit his resignation and let someone who really wants to speak for working people in this Legislature do the job?

Hon. Mr. Wrye: I stand in my place and say this province has moved forward with legislation—and it is the only jurisdiction to do so—to protect workers in terms of their severance pay, and the leader of the third party stands up and says it is nothing. It is more than the Premier of Manitoba has done for the working people of Manitoba. Let us not pretend this province has done nothing.

We are about ready to come forward with reforms and new legislative achievement in a number of areas. I am sure that is why we are getting some of these questions. With regard to the Coopers and Lybrand study and the McKenzie study, Mr. McKenzie has almost completed his study and it will be released in due course.

14:20

ALCOHOL ON OPP BOAT

Mr. Sterling: On Tuesday I asked the Solicitor General (Mr. Keyes) a question regarding his use of Ontario Provincial Police boats. We have not seen him since that time. Yesterday I asked the Attorney General (Mr. Scott) a question, and now he has vanished.

Mr. Speaker: A question to whom?

Mr. Sterling: I will ask the Treasurer. Perhaps he can give us some answers.

This morning we contacted the OPP in Kingston, and they indicated to us they would not forward the logs of the OPP boat that was used by the Solicitor General this past summer. We then contacted Superintendent Jack Burke here in Toronto and asked him for those logs, and he referred us to the Solicitor General.

Does the Treasurer think it is fair that when the Solicitor General is under investigation by the Attorney General and by the Metropolitan Toronto Police, we should have to go to him for information about his own activities?

Mr. Gillies: That is like judging your own case.

Hon. Mr. Nixon: I did not call the honourable member the judge; I called him the executioner, he may remember.

I will respond to the honourable member by saying he is correct in that the matter is under investigation by the Metropolitan Toronto Police. I think comments from me dealing with the matter would be inappropriate at this time, but it seems to me that when the report is available all that information will be a part of it.

Mr. Sterling: Under the conflict-of-interest guidelines of the Premier (Mr. Peterson), to which he does not seem to have paid very much attention before, it states:

“While holding an office, it will be the responsibility of the individual minister to ensure that whenever a matter involving a personal beneficial interest comes before the ministry for which the minister is responsible in a matter involving the discretion of the government, the minister will request that a colleague be officially appointed to act for the ministry concerned for the purpose of dealing with that matter.”

Will the Treasurer, House leader and acting Premier indicate who has been appointed to act on behalf of the Solicitor General in this matter?

Hon. Mr. Nixon: No one. The Solicitor General continues to do his duties, as is his proper responsibility. A review of the matter has been ordered by the Attorney General. It is being undertaken by the Metropolitan Toronto Police. If anybody knows of any other circumstances that should be included in that investigation, I expect he will let the police or the Attorney General know about it.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question of the Minister of Labour, that fount of all generosity. Since

February 20, 1986, on March 7, on May 13, on July 18 and this fall, I have attempted to obtain in writing, by telephone and by raising the matter in the House the number of convictions against corporations and workers in Ontario. Despite five attempts, we have not been given that information. Can the minister tell me why we are not getting that information if he is doing so much for the workers of Ontario?

Hon. Mr. Wrye: I know the honourable gentleman had asked for that statistic. I do not have statistics for this year. I do have the 1985 conviction statistics. As the member asks his supplementary, I will see whether I can find the exact ones. However, I believe what will be significant will not be the 1985-86 statistics, but ultimately how those compare with 1986-87, since most of the earlier statistics predated charges we made. I remind my friend, the leader of the third party that the new prosecution policy did not come into effect until November 21, 1985.

Mr. Martel: The new prosecution policy is like the new information policy. We never get it.

Since the minister talks so tough about his new prosecution policy and about having no more repeat orders—he said in this House in November of last year there would be no more repeat orders, there would be prosecutions—can he tell me why, under three sections in his annual report, his ministry has decided the information on number of repeat orders has been dropped? It used to be there with the Tories, but this minister has got away from it. He is not going to show any repeat orders because he has removed that statistic from the annual report for which he is the minister responsible, not the fellows before him.

Can the minister tell why they are now writing information, writing suggestions and writing new numbers so that they do not have to write or rewrite orders?

Hon. Mr. Wrye: With all due respect, that last part of the question is a little vague. I would have to check for my honourable friend—and I am sure he is accurate—but we did state we were not going to be repeating orders. We stated that in November. I would have to check with those who put the statistics together, but I assume we have put them together since we now issue only one order. There are no repeat orders and the 1986-87 annual report will reflect that fact quite accurately.

I return to the first question. A total of 241 persons were convicted at trial in fiscal 1985-86. The total number of counts is 305, since some persons were convicted on more than one charge;

157 employer-owners were convicted on a total of 199 counts, 56 supervisors on a total of 75 counts and 28 workers on 31 counts.

RABIES PROTECTION

Mr. Callahan: Now that the snow is on the ground and we have had a summer with a number of rabid animals having been reported, I would like to address a question to the Minister of Natural Resources.

Mr. Rowe: Did you get bitten?

Mr. Stevenson: There is a treatment for you.

Mr. Callahan: It sounds as though there are some rabid animals across the way.

How successful has the inoculation been over this past season? Does the minister have those statistics? How effective has it been?

Hon. Mr. Kerrio: It is a serious problem. We have taken to dropping bait from aircraft, and we have had to increase the dosage to be sure it is effective. In Huron county, there has been a great deal of research going on in this matter and the results will be forthcoming. When they come, I will share them with the people on the other side.

TARIFFS ON SOFTWOOD LUMBER

Mr. Pope: I have a question for the Minister of Natural Resources. It appears the Globe and Mail gets more information than the members of this Legislature are entitled to. On October 20, the minister stated he was distancing himself from the national position on softwood lumber. He also indicated he would fight vigorously for Ontario's interest in the softwood lumber countervail in Washington. Since that time, more than 900 Ontarians have lost their jobs because of the countervail.

Can the minister indicate to me when Blake Cassels and Graydon was instructed to file a notice by this government and when that notice was filed?

14:30

Hon. Mr. Kerrio: To answer the questions in order, the numbers we are talking about in relation to jobs lost are numbers to which I cannot relate. Many industries have said this was a result of the countervail; others said it has not had any impact on exports. That remains to be seen. I do not think the honourable member has the kind of information to which I can respond, nor do I.

As to the Ontario government's position in this matter, it has been unequivocal from day one. We decided we were going to fight the countervail with everything we had at our disposal. This member has suggested he participated in the

countervail fight last time and won. The member did not participate in any meaningful way. A couple of ministers went down there and talked to the Department of Commerce, but in reality the fight was won because it was an entirely different playing field they were on.

There has been considerable change, particularly as a result of the introduction of Sam Gibbons's bill, which changed the whole world of subsidy as it related to the United States. The new commitment by many politicians in the US to go to a protectionist route has led to an entirely different forum. He knows that full well. The Ontario position is a good one. The unions support it, the forestry ministers support it and the federal government is leading the way in that matter.

Mr. Pope: This minister has continued in the same vein as the Minister of Industry, Trade and Technology (Mr. O'Neil). He did not even answer the question. When orders do not come in for Ontario lumber, people are laid off. The orders are not coming in for Ontario lumber, and 900 people in northern Ontario are out of work.

Will the minister confirm that only yesterday, in a letter dated and received yesterday by the Department of Commerce, the Washington law firm of Hogan and Hartson filed a notice on behalf of Ontario?

Hon. Mr. Kerrio: The notice the member is talking about is not to participate in the way he is trying to define. This registration is only to get the information that is placed there and to let us be a party to what is going on. The position of the Ontario government is to stand four-square behind the federal government. This is an international trade matter. The member knows that. He is just trying to build this up into something other than it is.

That is not the case. It is an international trade matter. There are more pressures than ever before on Canada-US relations over this matter. The federal government is leading in the fight on this countervail. We are supporting them, but there are some differences with other provinces. That shall not happen with Ontario. We are looking at protecting the lumber workers here, and those involved with many other natural resources, because the Americans are threatening the sovereignty of Canadians; they are threatening to come over here and tell us how we should run this country. We are not going to accept that.

Mr. Pope: You filed yesterday.

Mr. Davis: You have trouble standing flat-footed, never mind four-square.

Hon. Mr. Kerrio: You are putting on a big act.

Mr. Speaker: Order, minister, member for Cochrane South and member for Scarborough Centre (Mr. Davis). We will just wait. The member for Cochrane South has already asked a supplementary.

Mr. Pope: There are 900 out of work, and you filed yesterday.

Hon. Mr. Kerrio: That goes only so far.

Mr. Pope: You will see how far it goes.

Mr. Speaker: Once again, I will just wait. There are a lot of members who want to ask questions.

WORKERS' COMPENSATION

Mr. McClellan: I too have a question for the Minister of Labour; it has to do with his failure to reform the Workers' Compensation Board. I am sure most members of this assembly have in their offices every week injured workers who have 10 per cent to 15 per cent pensions from the WCB because of the continued use of the meat-chart approach to giving workers permanent pensions. At the same time, these workers are totally disabled and qualify for full disability benefits under the Canada pension plan.

How can it possibly be that, a year and a half after he took office, the minister has failed utterly to reform the WCB? He is sitting on the Weiler report; he refuses to release it. If the minister is not prepared to bring legislation into this House to reform the WCB, why does he not step aside for somebody who will do that job?

Hon. Mr. Wrye: I know the honourable gentleman deals with a lot of injured workers in his riding and as the critic for his party. I know he cares very passionately about the cause of injured workers. I think the member would want to ensure that when we move forward in terms of the protection of injured workers and moving off what he calls the meat chart, the permanent partial disabilities, we do so the right way.

The honourable gentleman will know the proposal that was rejected in Ontario in 1983 is one that has been adopted in a number of other provinces in this country, and so we must move to something different.

Professor Weiler has delivered a draft report. I indicated to the member in the House and to all members the other day that we are waiting for Professor Weiler to give us a brief update on one issue he did not speak of in his report. I felt all members would want to see his views on that issue. Then we will table his report. With his

report, we will be tabling some technical documents, some of which were not ready until early this fall, and that is the reason for part of the delay. However, I want to get on with the reform as soon as we have a proper reform to move to.

Mr. McClellan: On November 6, I asked the Minister of Labour to explain why the report of the internal investigation into allegations with respect to the WCB rehabilitation centre in Downsview, an inquiry that is being conducted by the man against whom the allegations have been made, the director of the centre, had not been released even though the time for the inquiry was up. That was on November 6. It is now November 20.

Very simply, is the minister as afraid of the bureaucrats in the WCB as he is of the bureaucrats in the Ministry of Labour? Have they got him just as bamboozled as his ministry officials?

Hon. Mr. Wrye: I was speaking with the honourable gentleman privately, and he asked about the timetable on the report. I am told we are about two weeks away from the final report. Evidence was taken from a number of witnesses, transcripts were gathered of that evidence, and it took some while for the transcripts to arrive in Toronto after being transcribed by court stenographers in Windsor.

In correcting the member, I want to indicate to the House that the charges are not against Dr. Kummell. There are a variety of charges in terms of impropriety and misconduct at Downsview, and I am as concerned as any other member, more concerned than others.

I would have thought that the honourable gentleman, in the preamble to the question, or perhaps his friend the member for Hamilton East (Mr. Mackenzie), would have acknowledged that a new regional office opened in Hamilton this week and that one will open in Thunder Bay next month and another in Ottawa next spring. This government—

Interjections.

Mr. Speaker: Order. I am not recognizing the member for Sudbury East (Mr. Martel) for a supplementary.

PROPERTY ASSESSMENT

Mr. Polsinelli: I have a question for the Minister of Revenue. The minister will be aware that the Metropolitan Toronto council on October 29 passed a motion endorsing in principle section 63 market value reassessment for Metro Toronto.

Mr. Stevenson: The member just carried it

down to him 15 minutes ago. If he is going to stage this, he should do it with a little class.

Mr. Speaker: Order. I appreciate the information from the member for Durham-York (Mr. Stevenson). I had not recognized him for any comments.

Mr. Polsinelli: It seems the official opposition can provide us with some lessons about what class is. We will be prepared to listen after the session.

I say again, the Minister of Revenue is well aware that Metro council on October 29 endorsed a motion that a section 63 reassessment be applied in Metropolitan Toronto. The minister will also know, and it is my understanding, that Metro council has asked for release of the Metro-wide reassessment study that was done in 1980.

The motion that was passed by Metro council also called for the province to deal with a number of other issues. What issues remain outstanding? How is the minister prepared to handle the issues Metro council has put on the table? Specifically, is the minister prepared to release the study that was done by the province in 1980?

14:40

Hon. Mr. Nixon: I thank the member for his question and recall with you, Mr. Speaker, those days both of us remember when, before any question could be asked, we had to give written notice to the cabinet ministers before 12 noon. That was in the bad old Tory days.

The member who asked the question is correct. He will recall I tabled the letter from the Metro chairman, which indicates the council does not require the specific lot-by-lot information based on 1980 impact studies. The letter from Metro that was tabled specifically asks for an up-to-date impact study. I have asked the officials of the Ministry of Revenue about their capability in this regard. They indicate an impact study based on 1984 values will be undertaken early in the coming calendar year; it should be completed by the spring of 1987. I can assure members that when it is completed, it will be put in the hands of the Metro chairman so the impact may be assessed in the way that the chairman and the members of Metro council see fit and so they can move forward to a Metro-wide reassessment.

In response to an earlier question, I showed the member my response to the tabled letter. Since the members are anxious to know about the letter the member brought down to me, I now table both copies.

Mr. Polsinelli: I appreciate the Treasurer's response that a new impact study is going to be

undertaken. I ask the Treasurer to give an assurance to the House today that the actions of the previous government are not going to be undertaken by our government. I ask that once that study is completed in 1987, it be tabled not only with the Metro chairman but also in this House for the information of all members of this assembly.

Hon. Mr. Nixon: My view is that once it is completed, it should be put in the hands of members of Metro council, since it affects the assessment of properties in Metropolitan Toronto. I believe it should be left up to them whether to make it public.

Mr. Gregory: I guess the title of the last question could be "I Love You Truly." It was a real sweetheart question, and it was a sweetheart answer too.

TRUCKING INDUSTRY

Mr. Gregory: I have a question for the Treasurer; it is a sweetheart question too.

Members and employees of the Ontario trucking and truck manufacturing industries are gravely concerned about this government's intention to reintroduce the full seven per cent sales tax on trucks and trailers on January 1, 1987. Representatives of these industries have made both written and oral presentations to the minister on this matter since it was first proposed.

Presentations were made at the standing committee on finance and economic affairs, which met last Thursday and again today. Will the minister agree to accommodate the very reasonable and workable recommendation of the trucking industry that the tax be phased in over three years?

Hon. Mr. Nixon: Ontario is the only jurisdiction that has a sales tax that does not apply to heavy trucks. The exemption was introduced in 1982, when the present member for Muskoka (Mr. F. S. Miller) was the Treasurer, because the substantial downturn in the economy was hitting the trucking industry very hard. It is our understanding that sufficient prosperity has returned to the economy in general that the sales tax can be reimposed; it would involve a revenue in the full year of about \$65 million.

It is my feeling that the current provisions of the bill should be maintained, but we have had presentations in the committee on finance and economic affairs from a number of trucking companies as well as others concerned with the bill. Those matters will be considered by me and

by the staff of the Ministry of Revenue before the bill is brought before the House.

I have given an undertaking to the members of the committee that if there are any amendments—and frankly, I expect there will be—the members of the House will have plenty of notice before the bill is called.

Mr. Gregory: In a recent letter from the sales manager of one of this province's truck manufacturers, I was advised, "A trucker would have to drive 23,000 additional miles and would have to work an extra nine and a half weeks to pay the tax." I was also advised by him that if the proposed full reimposition of sales tax goes ahead as planned, his firm will be forced to shut down for three months. Numerous others have relayed the same message to the Ontario Trucking Association and to me.

Again I ask and urge the Treasurer to agree to phase this tax in over three years, as has been requested by the thousands of firms and individuals in Ontario's trucking industry. Will he give us that commitment today?

Hon. Mr. Nixon: For reasons I have already referred to, the answer is no.

WORKERS' COMPENSATION

Mr. Mackenzie: I have a question for the Minister of Labour. This morning I had the delightful experience of spending half an hour with Mrs. Jean Larcher, the 77-year-old widow of a Timmins-area gold miner.

Mr. D. R. Cooke: Is that why you didn't show up for committee?

Mr. Mackenzie: She also lost three more of her family. Is that not important enough, jackass from—

Mr. Speaker: Order.

Mr. Mackenzie: I apologize for that remark. My remark was provoked.

Mr. Speaker: I just wanted to make certain of it.

Mr. Mackenzie: Jean Larcher, as the head of a group of approximately 44 widows of miners who have died of cancer in Timmins, knows that without the peer review of the Muller study, without the second phase of the Muller study and without the nominal roles of all the workers from the board, they cannot establish any of the claims for the workers.

Inasmuch as this information has not been made available, despite requests for almost a year, can the minister tell me what we should say to Mrs. Jean Larcher?

Hon. Mr. Wrye: I would think the honourable member would want to get his facts right first. The fact is that peer reviews were not completed until some time this summer, so it has not been almost a year. Let us be clear on that in the first instance.

I have already made a commitment that I would speak to my officials on my return from the House today about ensuring that the draft, the final report and the peer reviews of the Muller study are made available to the representatives of this widow and others, including the United Steelworkers.

I had a conversation this morning with Mr. Gerard, the director of district 6, and he raised this matter with me. In my conversation with Mr. Gerard, and in the letter he hand-delivered to me, he also raised the issue of nominal roles.

I apologize to the honourable member and to the House. I had a luncheon engagement at which I was speaking to a group on health and safety matters. Consequently, on my return from the House this afternoon, I will take that issue up with the board.

Mr. Mackenzie: Given that it took as long as three to five years in the uranium mines to establish some of the landmark cases, and we have not yet established one in the gold mines; and given that there are several hundred widows of gold miners who died as a result of exposure, which the Muller report clearly indicates is the cause, can the minister tell us why nothing has happened to protect those women—he knows this has been an ongoing fight for years—and why they do not have the necessary pensions and are living in the kind of poverty that was outlined by Mrs. Larcher? Why, with that kind of record, does the member sit in this House as Minister of Labour? He should be ashamed of himself and resign.

Hon. Mr. Wrye: Let me say for the seventh time—and if there is one more question, there may be an eighth time: I do not know how long it will take for this member and the members of the third party to understand—that the Industrial Disease Standards Panel is assessing the Muller report to establish the criteria that are appropriate in the granting of compensation.

For the first time, we have the opportunity to move from an unscientific finding to a scientific finding. Very often in these very difficult cases, the kind of progress that the honourable member and I want takes some time, but we ought to give the Industrial Disease Standards Panel the time to do it right. The members on the standards panel who support labour, Mr. Gagnon, Ms. Jolley and

Dr. Chong, would want the time to do the job properly.

14:50

CORN TARIFF

Mr. Stevenson: I have a question for the Treasurer. Farmers in his riding and mine are delivering corn to elevators today for about \$2.16 a bushel. If we subtract from that figure drying charges of 25 to 30 cents, trucking charges of about 15 cents a bushel and, for some, custom combining charges, many of these farmers are not getting back their out-of-pocket costs just for seed, fertilizer and so on. How does the minister expect the farmers in our ridings to compete against the treasuries of the United States and the European Community?

Hon. Mr. Nixon: I noticed in Farm and Country, which arrived on our kitchen table yesterday, that the Canadian price for corn is a bit higher than the world price, indicating that the matter is at least as bad as the honourable member describes.

He will be aware, however, that the federal government has a stabilization program that returns to the farmers 95 per cent of the average price of corn over the last five years and that Ontario has an additional program that adds five per cent on top. As a matter of fact, that legislation was passed during the last minority Legislature back in 1975.

This really means there is some protection. It really means the federal Treasury and, frankly to a lesser extent, the provincial Treasury will be called upon to assist the farmers under those special circumstances. As well, the federal government has placed a protective tariff on imports of corn from the United States, which we hope will have some effect in buoying up the price.

The fact remains that there is a surplus of corn on the world market, and because of the competition between the European Community and the United States dealing with matters that the member is very familiar with, we are in a particularly difficult situation.

It is expected that farmers will receive between \$3 and \$3.15 a bushel if they are participants in the program, but in the long run the situation continues to be difficult.

Mr. Stevenson: The current situation has been triggered by the passage of the US Food Security Act, as the Treasurer well knows. That act was brought into effect between the Treasurer's first and second budgets. His last budget gave the lowest percentage increase to agricul-

ture of any of the past three budgets in Ontario. How many hundreds of millions of dollars does the minister intend to award to Ontario farmers to face this new crisis, which has come into existence during the time between his first and second budgets?

Hon. Mr. Nixon: I do not find the question unreasonable. The honourable member will know there has been a substantial increase in the allocation to the agriculture budget in the province. He will also know that the federal government announced, just about the time of the Saskatchewan election, that an additional \$1 billion would be allocated to farmers across Canada.

It is our hope that the federal government will participate in the improvements that are planned in our funding program for agriculture, which I am sure the Minister of Agriculture and Food (Mr. Riddell) will be discussing in this House some time in the next few weeks. He is with the Premier (Mr. Peterson) in Vancouver at present, but I know he is deeply concerned about this and he and his other colleagues in cabinet are working on it.

Mr. Speaker: The time for oral questions has expired.

Hon. Mr. Bradley: You should extend the time so the Minister of Labour (Mr. Wrye) can answer more questions.

Mr. Martel: He is giving such good answers we will support that, Mr. Speaker. Ask the minister why he is forcing the withdrawal of the Windsor bill, which is a health bill.

PETITION

PROPERTY ASSESSMENT

Mr. McFadden: I have a petition addressed to the Legislature and to the government, signed by 1,800 residents of Ontario. It is worded as follows:

"We, the undersigned, are opposed to the imposition of market value assessment on Metro Toronto by the provincial government. The higher property taxes for many north Toronto home owners, as a result of market value assessment, would pose a tremendous financial hardship for many individuals, particularly those on fixed incomes, single-parent families, seniors and low-income workers.

"The people of Ontario are already paying too much in taxes. The increases in property taxes under market value assessment, caused by escalating land prices in Metro Toronto, would not result in a corresponding increase in municipi-

pal services. The imposition of market value assessment on Metro Toronto by the provincial government will not only cause financial hardship for many people, but will also have a destabilizing effect on neighbourhoods and families in north Toronto. We urge the provincial government not to impose market value assessment on Metro Toronto home owners."

Mr. Speaker: Before I call for further petitions, I would like to inform the members that many of them are having private conversations, and it makes it very difficult to hear what is taking place within this chamber. I may continue for a while longer, unless I can have your attention.

REPORT

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr. D. R. Cooke from the standing committee on finance and economic affairs presented the following report and moved its adoption:

The committee begs to report the following bill without amendment:

Bill 26, An Act to amend the Retail Sales Tax Act.

Motion agreed to.

Bill ordered for committee of the whole House.

Mr. Gillies: On a point of order, Mr. Speaker: Today is the deadline for my colleague the member for St. George (Ms. Fish) to introduce her private member's bill. I wonder if I might ask for unanimous consent of the House to present it on her behalf.

Mr. Speaker: There has been a request by the member for Brantford for unanimous consent to introduce a private bill on behalf of the member for St. George. Is there unanimous agreement?

Agreed to.

Mr. Gillies: My colleague is away ill. I know she will appreciate the courtesy.

INTRODUCTION OF BILL

ELECTION FINANCES AMENDMENT ACT

Mr. Gillies moved, on behalf of Ms. Fish, first reading of Bill 153, An Act to amend the Election Finances Act.

Motion agreed to.

15:00

ORDERS OF THE DAY**ONTARIO LOTTERY CORPORATION
AMENDMENT ACT
(continued)**

Resuming the adjourned debate on the motion for second reading of Bill 115, An Act to amend the Ontario Lottery Corporation Act.

Mr. Speaker: I believe the member for Simcoe Centre adjourned the debate.

Mr. Rowe: I would like to begin my remarks today, as brief as they are, by reiterating that our party has always protected and will continue to protect the integrity and reputation of the Ontario Lottery Corp. Having said that, I would like to say our party also believes in the basic, democratic right of any group or individual to be heard. That right is not being given with respect to Bill 115.

This industry brings more than US\$60 million into Ontario annually and contributes close to US\$40 million directly to the coffers of the Ontario Lottery Corp. The loss of this US\$40 million alone would seriously undermine many social, cultural and recreational projects and programs in Ontario. Currently, the industry is creating 100 new jobs in Fort Erie by the end of this year. These jobs are being created with the help of the federal job training and employment program at a proposed subsidy by the federal government of close to \$80,000.

The industry has attempted to deliver a message to the Minister of Tourism and Recreation (Mr. Eakins) regarding his proposed plans for 1987, but the minister has refused to listen to the job development program by the industry. Recently, the government announced that the head office of the Ontario Lottery Corp. will move to Sault Ste. Marie to create some 112 new jobs. The Ontario ticket purchase services industry plans to create 100 jobs for Sault Ste. Marie alone in 1987. Plans call for an additional 100 jobs to be created in the Windsor area and possibly in the Cornwall area.

Over the years, this industry has been instrumental in helping the small, charitable lotteries to market their tickets. Most recently, they helped the renowned institution, the Royal Agricultural Winter Fair, by assisting in selling its lottery tickets. In the past three weeks, the industry has sold more than \$50,000 worth of tickets that will go directly to help the Royal Agricultural Winter Fair. Does this sound like a fly-by-night operation?

They have committed themselves next year to an even higher amount of sales for the Royal

Agricultural Winter Fair. These are firm commitments that the industry wishes to make to the minister. The industry has experienced growth and success based on continued, responsible service to the United States and international consumers; yet the minister has refused to acknowledge the plans of the industry and its commitment to the continuing development of jobs in Ontario. He has even been unwilling to meet to discuss the matter.

Here are the facts as I understand them. In recent legal hearings, the Ontario Lottery Corp. presented 6,900 pieces of correspondence concerning the ticket purchase industry in this province. It has shown that more than 3,300 pieces were general inquiries from Canada and other countries about ticket services. There were 2,800 pieces that were general correspondence from the US, including requests for winning payouts and lottery tickets to be sent to the US clientele. There were 490 that were general inquiries about where to get tickets and mail order operations. Fewer than 150 pieces of correspondence could remotely be considered by the lottery corporation itself as complaints. I understand there are none outstanding to date.

I noted with interest the remarks of the Treasurer (Mr. Nixon) last evening as we adjourned the debate. He stated that he hoped we could deal with this bill today and finish it up, that it was an important bill but that it should not be time-consuming. One must wonder why the government is so intent on rushing this bill through the House. Is it only the government that wishes to push it through or is it a political whim of the Minister of Tourism and Recreation that this be one of the major accomplishments of his year in office?

When one listens to media reports with respect to this issue, there have not been a great many stories of late about the supposed problem of which the minister speaks. We in opposition must wonder, therefore, why the government is in such a hurry to jam this piece of legislation through the House. It is legislation that will affect the livelihood of more than 500 people, many of them employed right here in Metropolitan Toronto, people working for companies that have not been extended the courtesy, the kindness, and more important the democratic right, to be heard.

We must ask ourselves why the minister for more than six months constantly refused to meet with the very people this legislation could put on the unemployment line. What are the minister and the government afraid of?

The value of exporting a good lottery product has been recognized by other provincial governments. Understanding the power of direct access to millions of US consumers, the British Columbia government designed its 1985-86 lottery tickets with a very strong Expo tourism message. In fact, BC's last instant lottery ticket was called the tourism ticket. I happen to have some samples I would be glad to share with the minister. Millions of these tickets and descriptive pamphlets with the BC and Expo tourism message found their way to the US market, and the result was a record-breaking Expo.

Finally, I want to quote from a letter, dated September 12, 1986, written by the Minister of Tourism and Recreation to the industry association: "The passage of the bill will follow the normal legislative process, and when the House resumes for its fall sitting I expect the bill to be passed to committee for review. That is the time for submissions from you and your colleagues."

I can only remind the minister, a man I know the industry respects, admires and takes at his word, as we in this House do, of that and hope he will live up to this promise, refer this matter to committee and let the people who have not been heard put their case forward, all 500 of the people who rely on this industry to work.

Mr. Hayes: I stand in support of Bill 115, which is probably long overdue. While I am on my feet, I want to compliment not only the minister for bringing this forward, but also my colleague the member for Welland-Thorold (Mr. Swart), who has raised several times in this Legislature the issue of abuse in dealing with lottery tickets.

The previous member spoke about jobs being lost, but I think the thing we have to look at is how people are affected and hurt by the lack of enforcement of the act that we have had in the past. To give members an example, in 1984 the Ontario Lottery Corp. became aware that the lottery ticket mail order business had expanded enormously. They determined that several companies were buying large quantities of lottery tickets for resale through the mail for a fee or markup.

All the corporation's licensed distributors, retailers and agents were instructed to cease sales to all individuals and companies believed, on reasonable grounds, to be involved in mail order operations. Those who refused had their terminals disconnected. As a matter of fact, the Supreme Court of Ontario forced the corporation to reconnect the computer terminals that were so disconnected.

The mail order companies have been able to obtain lottery tickets from authorized agents by purchasing them in other provinces and spreading their business sufficiently so that the number purchased from any one agent is within normal range and does not arouse suspicion. Then they resell these tickets at markups normally ranging from 69 to 190 per cent.

15:10

I am going to be very brief on this. I compliment the minister again for bringing forward this bill. This is one loophole it is really necessary to close. We stand in support of Bill 115.

Mr. Cureatz: It gives me some pleasure to stand in my place this afternoon to participate in this debate. I have not had the opportunity, Mr. Speaker, to say what a fine job you are doing in your capacity as Deputy Speaker. I also add that it is indeed unique in terms of the television coverage we now have in the assembly. I know the Treasurer is more than excited about having the opportunity to have his face flashed across Ontario to those homes that receive this broadcast.

Before we get into details on aspects of Bill 115, I would like to say that while listening to the debate in this chamber I have noticed a whole panorama of individuals who have gone unnoticed to date in terms of the new television broadcasting. First are our translators who are so ably sitting, patiently whiling away the hours listening to the extensive debates that take place in these chambers. I personally congratulate them for what sometimes appears to be and is a rather tedious and laborious job.

In addition, for those who have not attended the third floor, which is somewhere up there, there is a lovely panelled area half enclosed in glass where the operators of the wonderful cameras reside. At the outset, it was no doubt very exciting for them to manipulate the cameras with remote control, with some space age, Star Wars type of manipulation, to focus in on all of us here.

Interjection.

Mr. Cureatz: I am coming to the point.

Has anybody else thanked those individuals up there? I bet not one member of the assembly has taken the time and effort to say thank you to those individuals.

[Applause]

Mr. Cureatz: That is right. It took me, the humble member for Durham East and former Deputy Speaker of these chambers, to realize

that. I know the member for Oshawa (Mr. Breaugh) feels it was an oversight that he has not thanked them also because it was through many of his own colleagues' persuasion that television coverage was brought into this chamber. I actually think it was a good idea, and I am looking forward to the comments from the member for Oshawa to thank those individuals who are at this moment humbly hiding away up on the third floor listening to our debate.

For those members who are not present, I have full confidence that they will be getting copies of my words and over some bedtime reading this evening or some time over the weekend before they snuggle down, they will feel extreme remorse that they missed the opportunity to thank the translators and those individuals who are now operating the cameras. Before the Christmas session is over, I am confident each individual member of the assembly will be thanking those individuals who are now and will be, goodness knows I guess for the life of Ontario, focusing those cameras that are across from us.

With those few words in mind, we want to turn to the specific aspects of this legislation. In regard to this legislation, Bill 115, it has come to my attention that as we watch the television coverage, the name of the individual who is speaking and his or her constituency are flashed across the bottom of the screen. Sometimes the particular bill in question is mentioned, but no one is speaking in regard to what is taking place, other than the individual member's address on the item before the Legislature.

The point I want to bring out in regard to Bill 115 in the general comments, before we look into the specifics, is that I think the standing committee on procedural affairs should re-examine what is taking place with the television coverage. I mean this in all sincerity. There should be some consideration—believe it or not—of the possibility of having a colour highlighter who interjects periodically to bring everyone across Ontario up to date on what exactly is taking place in the debate, who the member is, what party he belongs to and why the party is for it or against it.

If we are going to have full and adequate coverage to relate to the people on bills such as Bill 115, we should consider something else instead of having a mere flash of the individual speaker who is participating in the debate. I must confess from time to time even I, in my humble few years of experience in these chambers, turn on the television set in my office, albeit ever so seldom, because my obligation to these cham-

bers is enormous and I am usually present so I can hear all members participate in the debate. However, the odd time when I am in my office and listen to debates such as the one on Bill 115, I am often concerned that people across Ontario do not have the full opportunity of understanding the legislation as we do with the explanatory notes.

For instance, for the benefit of those who are watching at home, by good fortune, whiling away the hours at 3:18 p.m. on November 20, 1986; they are probably curious as to what exactly this bill is all about. I think the standing committee on procedural affairs should give some consideration to having a colour highlighter to bring up those items that would make sense to individuals who tune in. Believe it or not, I can warrant that not everyone sits in front of the television hour after hour to get a full appreciation and understanding of the milieu of these chambers from day to day.

For instance, today, if they tune in on Bill 115 and they want to have an appreciation and understanding of what is taking place, I am embarrassed to say it just might be that they could not comprehend, even with my explicit remarks, what the legislation is all about. We could have an individual who, along with our television broadcast, could explain Bill 115 for 10 or 15 minutes or even a half hour. We know from the explanatory notes the purpose of this bill is to prohibit persons from engaging in a business that involves the sale, distribution and advertisement of lottery tickets unless authorized by the Ontario Lottery Corp.; and secondly, there is a penalty of \$50,000 or imprisonment for a term of not more than one year, or both, as provided in section 4.

Even for us humble members, reading the explanatory notes sometimes does not make a heck of a lot of sense. How do we find out exactly some specific aspects of the bill? I have to tell those viewers at home there is a lot of legislation that comes before these chambers and not every member is attuned to the specifics of each individual piece of legislation, never mind the detailed aspects of paragraphs.

Mr. Mancini: Speak for yourself.

Mr. Cureatz: Do not get me going. I say to the member for Essex South (Mr. Mancini), I feel I am speaking on behalf of myself and him. I think he will be following this debate very closely. I know those wonderful people who receive coverage in Essex South would be more than willing to have a better understanding of what takes place in these chambers. One way of doing that is to have a person who, in the lulls of debate, is able to participate so that there could be

a fuller explanation of what is taking place in the chamber. I am looking forward to consideration of those aspects of our newly devised television coverage.

More specifically, we have some concerns about Bill 115. For those at home who are whiling away some spare time and wondering why we on this side of the Legislature are concerned, I want to say that notwithstanding my admiration for the minister—who I feel very profoundly does an excellent job in terms of his capacity, both in a past reincarnation when he was a critic in the opposition and now in his position as a minister of the crown—I have one or two concerns, especially since it has been indicated that members of the third party are supporting the legislation. That really makes me quake in my shoes. As a result of that quaking, I have to take a look at one or two items as to why we are concerned. At that time, I will allow other members to participate in the debate. I understand there is a whole lineup of people who want to express concern.

15:20

Notwithstanding the move the present government has made in terms of moving Lottario and Wintario, we have some concerns. It is our understanding that with the passage of this legislation there could be well more than US\$60 million that will not find its way into Ontario, US\$40 million of which would go directly to Ontario's coffers. There is the resulting spinoff. There is the possibility of losing 1,000 jobs in Ontario in the passage of Bill 115.

Those little items by themselves give us a tiny bit of concern. With his reams of staff and all the input from the various back-benchers on the government side, I am confident the minister has thought through this legislation very thoroughly. The person who really runs everything over there is the Treasurer. No doubt he was sitting up late at night after he got White Farm and he had the use of that free combine to harvest those white beans. That gave him the opportunity to have some free time so he could devise a fancy piece of legislation that would eliminate approximately 1,000 jobs in Ontario.

With the process that takes place in this chamber and with the possibility of this legislation going to committee, I am confident there will be full and adequate debate so we can review some of these considerations. With the transcript of the debate in committee, I know the Treasurer, as he is driving back home—he is not driving back home; actually his driver is driving him back home in the government limousine. I remind all

honourable members that if I heard one speech in this chamber, I heard a thousand when he continually criticized those government limousines with the yellow lights. He was always worried that they were going to zap him. I am often curious whether he has those same yellow lights in his limousine. I wonder who he is zapping nowadays. It is evident that under Bill 115 he is zapping the possibility of 1,000 jobs in Ontario.

With those few humble remarks, I now will take my seat and enjoy the debate as it continues. We are very confident that the minister, as enlightened as he is and as fine a fellow as he is, representing the fine area of Victoria-Haliburton—minus Manvers township after the next election—notwithstanding the pressure he is getting from the members of the third party, will see his way and will realize that perhaps this is not the procedure he should be taking in terms of this legislation. After the debate in committee, he will feel much more comfortable and will realize the error of his ways.

Mr. Breaugh: I want to welcome the member for Durham East (Mr. Cureatz) back to the chamber. He has not been here for quite a while. It must be tough to run a law practice and be a member of the Legislature at the same time. To give him a quick update, there has not been a procedural affairs committee here for the better part of a year. He might be interested in the fact that we do not sit in the evenings any more either. There are a couple of things such as that which, with frequent absences he is liable to overlook. He might overlook the fact that the standing committee on the Legislative Assembly would appreciate any comment from any members on televising the proceedings or on the standing orders or on anything else.

Very quickly, perhaps he might help us. The one thing he forgot to tell us in that last little ramble was whether he was for or against this bill? That would help us.

Mr. Cureatz: I am very flattered that the honourable member has brought to our attention that I have had the opportunity of being associated with a law firm. As he well knows, a number of members of this assembly are associated with law firms. I can think of the Liberal member for Brampton (Mr. Callahan). There is another member in this assembly who is associated with a very fine, outstanding law firm. That law firm has the name of Sack, Charney, Goldblatt and Mitchell. They are at 26 Dundas Street West. Who, everyone asks, is associated with that law firm? None other than the

honourable leader of the third party, the member for York South (Mr. Rae). I am trying to keep up with the leader of the third party, so that I too can be associated with a law firm. I do not want to be left out.

Mr. Breaugh: On a point of order, Mr. Speaker: I did ask the member to tell us whether he was for this bill or against it.

The Deputy Speaker: That is not an appropriate point of order. Back to the debate.

Mr. Swart: Nobody in this Legislature will be surprised that I rise to support very strongly the bill before us. I am considerably surprised at the tone and the content of the debate coming from the Conservative party on my right. When this was raised by myself in this Legislature, when they were on that side of the House, never once did they defend the very questionable type of action that was taking place with regard to the sales of these lottery tickets outside this country. They never defended it. In fact, they indicated they were taking steps to stop it. They never did, but they indicated in this House that in principle they were in favour of the content of this legislation. Now they rise today and somehow or other seem to be defending this practice. I am quite surprised that they do so.

The matter of what was taking place with regard to the Ontario Lottery Corp. tickets was first brought to my attention back on October 29, 1984. That is more than two years ago. There is no question that the lottery corporation knew about it before that time, but it was brought to my attention by a letter from a woman in Hamilton, Ontario. I would like to read the letter she wrote to me.

She wrote: "Enclosed please find material sent to my mother, Mrs. Louis Bronstein of Denver, Colorado, by the Financial Freedom Group. She thought that I had put her on their mailing list. Upon reading this material, I was appalled that our country would allow such material to be sent through the mails.

"You will notice by looking at the highlighted areas that this group sells a \$1-Canadian lottery ticket for \$US2, making approximately \$1.50 Canadian profit for each ticket sold. In addition, subscribers are asked to send an additional \$US2 to cover the cost of mailing. Nowhere in the material does it say that the ticket sells for \$1 Canadian.

"A very nice racket, I would say. I am amazed that this group has been endorsed by the Metropolitan Toronto Better Business Bureau. As a concerned Canadian citizen, I wish to

register my extreme displeasure and urge you to investigate this organization."

That was signed by Marjorie Baskin, 50 Sanders Boulevard, Hamilton.

After I got that letter, I did investigate this practice. After some investigation and discussion with great numbers of people in the Ontario Lottery Corp., who themselves disapproved of this practice and who themselves said they had tried to stop it, I was convinced that it should be stopped, that something of an unsavoury practice was taking place.

I got promotional material not only from there but from elsewhere as well, and everything that Marjorie Baskin said in this letter was true. In no place on this did it say the ticket was worth only C\$1 in Canada. In fact, it was misleading in stating that in the United States they would not have to pay income tax on this. Of course they have to pay income tax on this money in the US. The whole promotional material left a great deal to be desired.

After doing that investigation, I raised this in the House with the then Conservative minister, who agreed with me it was a practice that should be discontinued. That is why it surprises me so much now to see the Conservatives rising to indicate that somehow or other they are supportive of this practice continuing. Let me say too that anybody who knows anything about American law knows it is the clear intent of American law that this should not take place.

15:30

Mr. O'Connor: That is not right.

Mr. Swart: Yes, it is. The law says you may not order tickets through the mail. You may not send Ontario Lottery Corp. tickets through the mail in the United States. You may not order them; you may not send them. It is illegal to do that in the US.

They have now got around that by not ordering any tickets at all; there are no tickets involved. All you are doing is ordering a certain number. It is the clear intent of the postal law of the US that they cannot send or order tickets through the mail, and anyone familiar with it will know that is the case.

We must also recognize that because of this situation, it is impossible to police the lottery corporation and the sales of these tickets. It is impossible to police whether people who order numbers are assured that those numbers do get into the draw and that they will get their prize if they win. I am not suggesting the people operating these businesses did not pay off winners. I am suggesting it is impossible to

know. It is impossible to police when there are no tickets. We must recognize that.

I do not think it is a bit unfair to read into the record an article from the *Globe and Mail*. Other members of this Legislature, particularly those who may think I am voting against this bill, should also read this *Globe and Mail* article, which is dated Saturday, January 18, 1986. I have no way of knowing whether this is correct, but it is an article by Yves Lavigne of the *Globe and Mail*:

"Employees of the mail-order lottery ticket firm in Mississauga, Ontario, that says it failed to process an entry that could have been a winner in last Saturday's \$10-million Lotto 6/49 draw have claimed thousands of dollars in lottery prizes over the past several years.

"The most frequent claimant, Ontario Lottery Corp. records show, is Esther Budharam, who also uses the name Esther Priess. She is the wife of Ernest Priess, sole director of 468560 Ontario Ltd., which operates under the trade names of Winshare Club of Canada and Financial Freedom Group." Winshare is the firm that says it failed to process a US customer's 6/49 number. A Winshare spokesman did not return calls yesterday to explain whether the employees had won the prizes or picked them up for the firm's US clients.

"Mrs. Budharam was an authorized ticket agent of the Ontario Lottery Corp. at Toronto's international airport until last February, when officials discovered she had violated lottery corporation policy by selling tickets to her husband's mail-order firms. She claimed the prizes while employed as a ticket agent.

"Mrs. Budharam claimed 80 Lotto 6/49 prizes worth \$123,734.70 in 1984.

"Other prizes claimed by Mrs. Budharam include:

"A \$100,000 Wintario prize claimed in August, 1981, on a ticket she sold herself. The odds of winning the prize are one in 1,333,333.

"A \$10,000 Super Lotto prize claimed in February, 1982, under the name of Esther Priess. The odds of winning this prize are one in 400,000.

"A Super Lotto car claimed in July, 1982, on a ticket she sold herself. The odds of winning the prize are one in 8,000.

"A \$10,000 Super Lotto prize claimed in January, 1984. The odds of winning the prize are one in 8,000.

"Other employees of Winshare/Financial Freedom Group have claimed lottery prizes:

"Edna Ames, the firm's membership secretary, claimed a \$15,388.60 Lottario prize in March, 1982. The odds of winning the prize were one in 543,000. The ticket was sold by Merchants Fair, a ticket agency owned by Ester Budharam. Mrs. Ames also claimed a \$5,000 Super Lotto prize in June, 1985. The odds of winning the prize were one in 27,777.

"Karen Heynsbergen, who gave the same telephone number as Winshare, claimed a \$3,409.90 Lotto 6/49 prize in October, 1983, on a ticket bought at the airport. The odds of winning the prize are one in 54,200.

"Maxine Weatherall, who also gave Winshare's telephone number—"

The Deputy Speaker: Order. The member is not supposed to read at length. I presume he is not going to go on very much longer from the same document.

Mr. Swart: No, I am not. However, I think you will also recognize we may quote from documents that are pertinent and will agree this is pertinent to the matter before us.

The Deputy Speaker: Yes. You may quote from it, but do not read verbatim at length.

Mr. Swart: If I am going to read this, I have to read it verbatim. This is a quote. It continues:

"Norman (Chubby) Gallagher, a resident of Presque Ile, Me., said in a telephone interview yesterday that he has bought lottery tickets from Winshare for more than two years. The company solicited his business through the mail.

"He said he placed a telephone order on December 18 for a 6/49 ticket with winning numbers 4,12,21,40,42,45. But the company says the date was three days past its deadline. Winshare requires lead time to process numbers because many customers pay by mail."

I will conclude there because that is the end of the quote I wanted to read.

I do not know whether what is in this paper is right. I do not know whether the odds they talk about are right. I have no way of knowing. I do not know whether any special favours were given in this company or whether there was any finagling on this whole thing. I am not making any accusations, but I know that when you have this kind of operation and when you have these kinds of situations arising, as legitimate as they may or may not be, the simple fact is that when the people selling the tickets are seen winning the prizes, it discredits the Ontario Lottery Corp.; it discredits it in the US and in Canada.

I had literally hundreds of people contact me about this after they saw that in the paper. I do not think we can afford that kind of publicity,

whether legitimate or otherwise, about the Ontario Lottery Corp. and the other lotteries it administers on behalf of the Interprovincial Lottery Corp.

There is no question that it is contrary to the intent of US law that we sell these tickets in the US, as clearly as it is the intent of the US lottery corporations that they do not sell their tickets here. We have an obligation to respect people in the US who may buy these tickets; we have to ensure not only that they get the returns on those tickets but also that there cannot be any system in this province whereby people in the US can be ripped off. They are not being ripped off, but they can be under this system, because we cannot police it. We have to respect the government of the US and the lottery corporations in the US.

Although I have no objection to this going out to a committee for some discussion, I must say it is somewhat unusual. We are not going to have the details of it discussed in committee. There is a matter of principle here, which is whether we are going to permit lottery tickets to be sold outside this country by a private corporation that we cannot police. When there is a principle such as that, I am not sure what the purpose is of sending it out to committee. However, I am one of those who likes to have the public have its full say on these things; so if it is the wish of the House that this go out to committee, I will go along with it.

I want to say, on behalf of myself and my party, this is so much a matter of principle that it does not matter whether it stays out in committee for six months and we hear all kinds of delegations; when it comes back into this House, I and my party will be voting in favour of this bill.

15:40

Mr. O'Connor: I have a question for the previous speaker. I would like to ask him, based entirely on his last comment, whether he means that whatever he hears in committee, no matter how reasonable or how rational, he has made up his mind; he has predetermined his decision and does not want to be confused with facts. If we get to committee, he is going to vote the way he wants to vote regardless of what anyone says. Is that what he means?

Mr. Swart: I thought I made it clear that this is a matter of principle. We know what the principle is, and the Conservative members know what it is. They endorsed in principle what is in this bill when they answered the questions in this House. It would not be the first time the Conservative party flip-flopped on principle, but we in this party do not.

Mr. O'Connor: I welcome the opportunity to make some comments on Bill 115, An Act to amend the Ontario Lottery Corporation Act. I have listened carefully to the debate to this point, and I think many good points have been made, not the least of which were from the member for Durham East. Although he may not rise to his feet in this chamber all that often, the quality of his erudite and articulate remarks more than make up for the lack of number of times he may speak to us. I listened with intensity, and he had many good points to make.

Hon. Mr. Elston: Mr. Speaker, on a point of order: I wish only to request that the speaker identify whether he is speaking on behalf of the new Progressive Conservative Party or the old one, so we can determine whether there is a change of position or principle on this bill.

The Deputy Speaker: That is not an appropriate point of order.

Mr. O'Connor: I am somewhat concerned about the direction in which the debate on this bill is going. I and this party are in favour of fairness, honesty and a system of policing any industry, trade or business to ensure that the people it serves, or attempts to serve, are protected. That is a different goal, and one for which we stand, from the one that some of the members opposite are attempting to attribute to us, which is that we are in some way against this bill and thus against ensuring honesty and protection for the public in Ontario and in places outside it.

I am also concerned and a bit surprised at the somewhat remarkable stance taken by my friends to the left, who proclaim long and loud that they are in favour of the working man and of the production and maintenance of jobs in Ontario. Notwithstanding that apparent stance they have told us about so often, they are prepared to do away in one fell swoop with some 1,000 jobs in a thriving and growing industry in this province. In my riding, for instance, there is a thriving business which employs some 80 people on a full-time basis, primarily younger people, who are involved in the telephone marketing of lottery corporation tickets, into the United States primarily but also to other areas. If this bill passes, they will be instantly unemployed.

I am concerned with the approach of the government to solve what I see as a relatively minor problem. Sure, there are some bad apples in this industry. There have been difficulties with respect to certain operators. They have been well documented by my friend the member for Welland-Thorold, who read at length from a newspaper report about some people who appear

to have misused their position and perhaps been involved in some kind of fraud. The matter is before the courts and it has not yet been determined whether that is the case.

Mr. McClellan: What's a little fraud among friends? What's a little fraud now and then? After all, there is a black market.

The Deputy Speaker: The member for Bellwoods (Mr. McClellan) is seated a little too close to the member for Oakville (Mr. O'Connor) to interject.

Mr. O'Connor: I am concerned somewhat about the attitude of the government towards the problem it perceives. It is a baby-and-bathwater attitude. The government is going to get rid of an entire thriving young industry because one or two or a few people in the industry perhaps are abusing their positions of authority.

To quote from today's edition of the paper my friend the member for Welland-Thorold quoted from, I read this morning in the *Globe and Mail* of an incident where a bank manager in Etobicoke was recently charged with theft of \$459,000; a bad apple in the barrel of bank managers in Ontario. Using the same government theory to deal with a problem such as that, they would close down all the banks in Ontario because there are a few people who steal from banks.

Mr. Rowe: Better fire all the bank managers.

Mr. Breagh: Now they want to nationalize the whole banking system. This is awful.

Hon. Mr. Eakins: We are talking about the authority of the Ontario Lottery Corp.

Mr. O'Connor: If there are problems in the industry, the answer is to regulate the industry better and to legislate better controls on the people involved in the industry.

Hon. Mr. Eakins: They are not employees of the Ontario Lottery Corp.

Mr. O'Connor: We should license these corporations and require them to submit monthly reports and audits of the number of tickets they sell and to whom, to ensure the prizes are being properly distributed. Why are we going to get rid of the entire industry for the sake of a few people who are abusing it?

Hon. Mr. Eakins: You are talking about employees of the lottery corporation. You are talking about two different things.

Mr. Rowe: You are hanging an elephant with a mouse.

The Deputy Speaker: Order. The minister and the member for Simcoe Centre (Mr. Rowe) are interjecting.

Mr. O'Connor: He is welcome to interject. He is with our party.

The Deputy Speaker: Interjections are out of order.

Mr. O'Connor: I welcome his assistance in this debate. The minister is berating me from across the floor that in effect that is not the reason he is bringing in this bill. I understand that is one of the reasons.

The other reason, as is set out in his letter of September 12, 1986, to the Ontario Ticket Purchase Services Association, which was previously referred to, is that it may be illegal in some of the states into which the lottery sellers are distributing their tickets. I understand that is a question that is not settled at present. It has not been clearly enunciated by the courts in the US that it is illegal. In fact, there is opinion at a very high level within the US Attorney General's department that it is not illegal.

What is happening is that the people in the US are not ordering lottery tickets, nor are they being sent lottery tickets. They are being sent numbers and they are making orders, the transaction for which takes place here in Ontario. The contract takes place in Ontario, and therefore the laws of the US are not being broken. At least the question is one that is at issue. It is one that is being reviewed and is not clearly, as the minister attempts to state in his letter, something that is illegal in the US.

The number of jobs involved in Ontario—being more than 1,000—and the amount of revenue derived by the Treasury of the province have been well documented by the member for Simcoe Centre. I need not go into that. I simply make the point that in its attempt to solve a problem in an industry, the government is overreacting. It is bringing in a bill that will have a serious impact on a small and thriving industry in Ontario, which employs approximately 1,000 people. Surely the government should rethink its approach in regard to dealing with the problem.

In chatting with the minister briefly this afternoon, prior to the debate getting under way, I was delighted to receive his assurance that the matter would be referred to a committee where, in accordance with his commitment to the Ontario Ticket Purchase Services Association in his letter of September 12, it would have the opportunity to present submissions.

15:50

I am happy that the minister has agreed to do this and that he will live up to his commitment in this regard. Through this process, he will be quite surprised to learn something of this industry: that

the vast majority of those involved in it are honest, hardworking people who provide employment for a number of Ontarians and that there are many other ways, which will be suggested to him during the course of these hearings, in which the problem of the few dishonest persons involved in the situation can be handled. As I suggested before, this might be through licensing or an auditing process of the government.

I will not get into the full measures that are available at this point, but I suggest that even the member for Welland-Thorold, after sitting through some of these hearings, might have occasion to change his mind, if he listens carefully, and revert to the traditional position of his party, which has been to promote and produce jobs for people in Ontario, particularly for younger people, who are the ones primarily involved in this industry.

I reiterate that a number of people in my riding rely on this industry for their income. I speak on their behalf in this Legislature. I encourage them and members of the industry to take the opportunity to attend before the committee to make their views known.

Mr. Swart: From the comments of the member for Oakville, I take it that he supports in principle the marketing of tickets by the private sector in the United States and elsewhere, even though the laws in the US say one cannot send these through the mails, even though a person cannot get a ticket; and even though the previous government, the party the member belongs to, had said it was a practice that should not continue. It is quite amazing to see this flip-flop and the unconcern for the principle behind this and for what in fact has taken place.

We in this party are concerned about jobs, but that does not mean we support black market operations. We did not support them during the war years when an awful lot of people were employed in the black market. It does not mean we support wide-open prostitution, which provides employment for a lot of people. There has to be a principle involved here. I am amazed that the Conservatives have flip-flopped on this whole matter of principle and are only worried about some of its details.

Mr. Hayes: I want to get a little clarification from the member for Oakville. He made a statement that the Americans were not buying the tickets, that all they were buying were numbers. Is it the opinion of the member that if one can find a way to get around the law it is morally correct?

Mr. O'Connor: As I said in my initial remarks, we are in favour of a free enterprise system. We are in favour of it being done honestly and fairly. In the course of entering into a business or occupation, the public in this province and outside this province should be well protected. All I said in my remarks was that there are ways other than banning the sale of these tickets altogether by which this end and these goals can be achieved, while maintaining the level of employment that this industry generates in Ontario. It is nothing more and nothing less than that. Those are admirable goals, and I stick by them.

Mr. Breaugh: I was not going to speak on this bill, but I feel compelled to. I never did understand why the Tories, when they were in power, made the nationalization of the numbers racket one of their top priorities. I never did understand why this was at the top of their list of things they should nationalize, but they did it. As I recall the arguments when they did it, they said the reason they had to nationalize the numbers racket was very straightforward. They could not leave it in the private sector, because they were encountering too many problems with private bookies, numbers runners and various odds and sods. They had to nationalize it to make it squeaky clean. Now I hear the argument coming from some of them that they want to privatize it again.

I do not quite understand what is going on here. To be fair, the Tories in their presentation so far have given us both sides of the issue and a fair amount of middle ground. They have argued for the bill, they have argued against the bill and they have argued that we should not take any position on the bill. I was interested to notice that today they were adamant about the idea that the bill ought to go to committee; yesterday they mentioned not a word of that. I noticed it took all of two seconds for one of their members—not the critic but another of their members—to come right down there and ask the minister whether it would be okay to send this to committee, and he said, “Sure.” That is all it took. They could have done that yesterday, or they could have done it last week by letter or by phone. If they had wanted a committee stage and public hearings to the bill, they could have done that.

I am fascinated by the arguments that are being used. I have some sense that we have discovered not only what kind of business they are in but also what the price is today: 1,000 votes. I sense a funny argument at work here. I would accept the job argument if I felt there were good, long-term

jobs in that sector of the economy, but in my experience—the member can correct me if I am wrong and he will, I am sure—most of the organizations that are functioning in terms of this bill are what we would call boiler-room industries; that is, a bunch of young people are put in a room somewhere with phones and they canvass sales. That is the process they use. Those jobs are not long-term jobs; they are short-term jobs. They are minimum-wage jobs, and they are not exactly what would be called a career profession. Some of us would even go as far as to say the people who run those operations are very exploitive of their employees. At the public hearings, we will want to hear precisely the nature of employment that is being proposed there.

We also have to address ourselves to this vexing problem. I know the previous government took the numbers racket and made it decent in Ontario. Numbers are sold all over the province. In every corner store now we have more people selling numbers in Ontario than they have doing so illegally in the US. It is done up front, the government backs it and all of that. There are simple assumptions that people make when they pay what some would call the fool's tax by buying a lottery ticket. People assume they not only can buy a ticket here but also can win and actually get the prize. We know from the mail order operations that is not quite a guaranteed thing. We already know that mail order operations have run into a succession of problems in not selling tickets; they do that very well. The problem comes about if somebody should be fortunate enough to win. They have adopted a remarkable defence. They cannot find the ticket the person bought, they are not sure who bought it, they are not sure what the number is or they are not sure whether it is legal to deliver the prize to a state in the US.

I am not sure what is going on here. Am I hearing the good old Tories in Ontario arguing that this practice is worth supporting? Am I hearing the Tories in Ontario, who used to argue that we had to nationalize the numbers racket to keep it clean, arguing today that they now want to privatize it to get it dirty again? Are they saying they want lotteries in Ontario to be run by the private sector? Are they saying they want businesses to function in Ontario in ways that are, at the very least, questionable on legal grounds in the US?

When we put lotteries in Ontario, the big argument was whether such things as the Irish sweepstakes were legal in Ontario. For many

years, our police forces were not sure about that; a number of them sold the tickets, but they also arrested people for buying tickets. That kind of practice, that questionable section of the law as to whether lotteries were legal, caused us a lot of aggravation.

It was said when the lotteries were brought in: "That is the end of lotteries in the private sector. We will now regulate, control and monitor lottery sales and prizes very strictly." There have been ongoing questions as to whether the Ontario Lottery Corp. through the years has actually done that in quite the way it was purported to be done. None the less, I do not think there is much question that there is very little in the way of vice left in the lottery corporation; it is a publicly run corporation, it publishes an annual report and it is subject to investigation by committees of the Legislature. We monitor that as well as we can.

16:00

I have no problem with this bill going out for hearings. I have no problem so long as that is seen to be something that is not short and sweet and so long as an appropriate length of time is allocated in one of our committees so the groups who want to make submissions can.

It seems to me that if the lottery corporation wanted to, it could license certain people to run mail order businesses as they now run the lottery businesses at little corner stores or whatever. I caution the government before it gets on that road that this is precisely where the problem began. It is going to have some difficulty with that. It may be able to ensure that whoever is selling those lottery tickets by mail is still around afterwards. One of our problems has been that by the time a problem occurs and the government goes back into the private sector to investigate who did not deliver a prize, or who did not buy a ticket on behalf of some consumer in Georgia, the doors are closed; the company is not in business any more.

That is going to be the start-and-finish problem with this. If the government is to allow the private sector into the numbers racket, the private sector is going to have to accept the idea that it cannot be a fly-by-night operation any more; it must be something that will be there when the prizes are distributed. The government will have to find a mechanism. I am not sure how it is going to do this. I am not sure how it will take tickets sold to American citizens, perhaps legally, perhaps not so legally, and adjudicate who wins the prize or who was at fault.

Are we expecting, for example, couples to fly up from Atlanta to go into Ontario courts to

adjudicate whether a business in the private sector in Ontario did them wrong? Are we going to provide them with legal fees and transportation costs up here? We do get into a lot of problems. Perhaps we should take the member for Brampton (Mr. Callahan) and have him do something useful. He could wait out at the airport and represent these people. He could carry their baggage or something such as that. He would lose the baggage, we all know that, but he would be out of our hair for a change.

I think it can go to committee. The problem, though, is a straightforward one. There has been a change of stance on the part of some members here. I suppose that is legitimate. I do think the government has moved to solve a problem that has been around for a fair while now and is not easily solved. If somebody wants to go to committee and provide the techniques whereby all these previously unresolved difficulties can now get resolved, that is fair game; I do not have any problem with that. But, since I have heard a lot about the job side of this, I am very interested in the nature of the jobs that will be provided.

It is pretty easy to come in here and run off about 1,000 jobs in the private sector. Again, I may be wrong, but I do not know of too many people who have long-term employment at decent wages with decent working conditions in that field of endeavour. The numbers racket traditionally, since time began, has not been exactly a place of career employment opportunities. It began on the streets, and it is pretty much still there. It has been cleaned up and sanitized a touch, and I suppose it is now so accepted by the people of Ontario that we will never be done with it; but there are problems.

We will support the bill. We think it attempts to resolve a problem. We are happy to have it go to committee on the understanding that people will get an opportunity to come and make presentations to resolve problems that the government perhaps thinks cannot be resolved. They will have their chance to do that. On that basis we will support the legislation.

Hon. Mr. Eakins: I am not going to comment for long. I have no objection to this bill going to a standing committee so that we can have representations. I think it will be very interesting, with some of the comments we will want to make in defence of Bill 115; it is one I fully support.

The member for Oakville has likened some of the people in the business to people who work in a bank. Anyone who works in a bank is an employee of the bank, but anyone involved in the lottery corporation must be authorized by the

Ontario Lottery Corp. The people who are operating are operating outside. As far as I am concerned, the Ontario Lottery Corp. is going to keep control of that.

The bill before the House today is designed basically to maintain the confidence in and integrity of the lottery games so that the future of the games can be secure and healthy. I do not want the Ontario Lottery Corp. to be under a cloud of suspicion in any way. We have an obligation to ensure that its profitability is neither affected by nor rides upon any operations outside the Ontario Lottery Corp.

I point out that the status of the Ontario Lottery Corp. is very clear. It has been before the courts three times, and they have ruled in support of the Ontario Lottery Corp. If there is further information that should be revealed, I have no objection to it going to committee. I am quite pleased to have it go before a standing committee to be dealt with.

Motion agreed to.

Bill ordered for the standing committee on resources development.

Hon. Mr. Nixon: We have three committee reports we thought we might deal with this afternoon, if possible. The first one has to do with the Ontario trade review. Is it the thought of members that this perhaps be done later? I see some nods.

REPORT, STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the report of the standing committee on the Legislative Assembly on appointments in the public sector.

Mr. Breaugh: When I presented this report from the standing committee on the Legislative Assembly some time ago, it was at the end of a rather lengthy process. The basic idea was that members on all sides, I was told, wanted to find another way to handle appointments in the public sector. The task given to the committee was fairly straightforward. What had been acknowledged as simple, pure, raw, old-fashioned patronage was no longer appropriate for the Legislative Assembly of Ontario. A new system had to be put in place. The characteristics of that as it unfolded were relatively straightforward.

First, and this is a major accomplishment, there would have to be a known process. The people of Ontario had a right to know and

understand how appointments were made in the public sector. Many of us who have been around here for a while know the sad truth that in the previous administration there was no known process. No one really knew how appointments were made. Some knew how some appointments were made, and some had an inkling of how others were made. It was rumoured that some were done right out of the Office of the Premier, some up at the Park Plaza Hotel, some from various ministry offices and some on recommendations from the heads of Tory riding organizations. There was never in one place at one time a system to be examined.

The first thing we tried to do was simply to establish a process. That we did by saying the guiding principles here would be very straightforward. Every person in Ontario is eligible for this and as many people, as many sources, in Ontario can put forward suggestions for appointments in the public sector. At the committee level, we talked a great deal. We all knew municipal councils, school boards, social agencies, special interest groups, ethnic organizations, sports and cultural groups would be able to identify for us people who would be good appointments in the public sector, people who had some expertise in a particular field, people who had some demonstrated ability to administer, to regulate, to monitor, to advise the government. It is very difficult for any of us to corner that market, and we should try to tap into as many of those resources as humanly possible.

To that end, we said something should happen, something that seemed relatively straightforward but had never happened before. In this huge black book I have on my desk, for the first time in the history of Ontario, is a list of all the appointments that are made by order in council. I want to point out at the beginning that the appointments made by order in council are not all the appointments by a long shot. Some of us who have been examining government agencies in Ontario would hazard a guess that about a third of the appointments made by the government are done by order in council.

16:10

The reason we made that a gathering point was that if it is to be done by order in council, it is generally considered that it is an agency that will be around for some time. Its role in life is reasonably clearly understood; it is there to advise the government on particular matters, to regulate a particular industry, profession or something of that nature or to administer something such as a parks commission.

The terms of reference for appointments by order in council are rather well understood. As part of our deliberations, we said: "This should be understood a little better. We need to do this type of collation for all these appointments in the agencies. We need to have the agencies write little, precise definitions of their mandate, what they do and what expertise one would need to serve on their particular commission." It is not dramatic stuff, but it would put a little more light on what that agency does and who might properly serve on that.

We recommended a process that would have that put in what is called the Ontario Gazette, which is the record of proceedings in and around the Legislature having to do with regulations, orders in council and things such as that. It is not a widely read magazine, but it is available in libraries and in municipal clerks' offices. It has a circulation around Ontario that is relatively constant in most communities. We suggested that, and I think that is one thing that will happen.

Second, we wrestled with the problem of how we would make people aware that these appointments are done. The committee went to the municipalities to look for a little help here. The municipalities have a technique, because they too make appointments to various agencies and commissions in their locale. Most of them do a very straightforward thing; they put an ad in the paper once a year. Usually it goes in, say the Oshawa Times, about this time of year; it is a simple announcement that says: "The Oshawa city council will be making appointments to these 12 agencies in January. If you are interested, make a submission. Write us a letter or do a résumé." Some have devised a form to fill out; so if they are using computers, for example, that helps. For some people who are not accustomed to writing a lot of letters and résumés, a little form sometimes assists them. It does not mean they would not be good people on the advisory committee or the regulatory agency; they may just not be used to sitting down and writing long job applications as part of their work and life experience. The techniques recommended on that side of the report are relatively straightforward.

We said there should be a group of people, not directly in the Premier's office but at arm's length from that, who would collate all this information. For example, if the Oshawa city council recommended someone to sit on one of these agencies, a year from now the city council should be able to find out whether that agency has an opening coming up, whether the government

has decided not to appoint that person or whether it is going to recommend that that person be appointed. It should be able to track them through the process, as should members and in a sense people who have put their applications in.

People who have submitted applications should be able to go to a member of the Legislature, for example, and ask: "Did they lose my application? Is there an opening coming up? Is there any chance that I am going to be appointed, or have they discarded that?" Within certain reasonable rules and regulations of the process, there should be a way for them to plug into the system and see where their application to be appointed to one of these agencies would be, whether the government was likely to make an appointment in the near future and who actually got the appointment in the end.

All we asked for was an openness to the system. In the main, when we did this we tried to find the practical, the pragmatic, the easy way to do this. To my mind anyway, the committee's recommendations in this regard are all very straightforward things that could be done now; some are actually happening to a degree. However, to make the one little distinction, for example, in the government's reply to the committee's report, when we said, "Put an ad once a year in newspapers around Ontario," we did not mean the government ought to send out some press releases. We meant the government should notify people, as we do when our committees have hearings, when we have a bill that is going out to committee for hearings or when we have somebody who is gathering up information in preparation for a report. We do not want a big ad campaign; there was no talk of that in the committee, and that was not part of it.

We were trying to establish that there should be a bit of an arm's-length relationship. At no time did the committee ever say the government does not have the right to make the initial appointment. We accepted that flat out. All we argued for was a known public process, some fairness and access to it, and that the government always has the right to choose from that list. I have been in politics long enough to know that any government will have a tendency—let me put it this way—not to appoint its known enemies to a lot of regulatory or advisory commissions. We do not expect that. We simply expect some fairness.

It is a recognition that on our councils, school boards and social agencies are a lot of people who could do this type of job very well. They are not really known to us because they are not part of the

political process. They do not belong to anybody's riding association. They may never have run for a public office and may have no intention of ever doing that. But that is not to say they do not have the ability and should not be considered for this type of appointment. The recommendations of the committee were framed in that context.

In the committee, we wrestled with the idea of review for some time. After the government takes the initiative and suggests an appointment, part of what we were told we should be doing is to provide for a review process. This is a little sticky.

Even that well-known radical Brian Mulroney in the Parliament of Canada now accepts that some of the appointments made by the federal government will be subjected to a review by a committee of the House of Commons. There will not be a lot—not as many as perhaps I personally think is appropriate—but some. The concept of a legislative committee in a parliamentary system reviewing nominees for appointments in one of these agencies is established.

The sad fact is that this committee recommended that, and the federal government picked up and acted on it before Ontario did. That is a little sad, but that is not the first time that has happened.

I have another sticky problem for the government's concern. None of us on the committee had an inclination to spend all our time reviewing appointments to agencies. I, for one, think that would be a colossal waste of time. When we talked to people in other jurisdictions where that is an accepted fact of life—for example, in the American congressional system, in all the states we talked to—they all agreed by and large that the actual review by a committee was not too useful. What was useful was the principle that it could be subjected to a review.

Most of the time, when the President of the United States puts forward a name as his choice for whatever it is, the thing that is causing the political review is the fact that a review can take place. By the time it gets in front of most of the congressional committees, a lot of the sting has fizzled out of that. If the nominee turns out to be a real dud, the President is most anxious that the real dud not get in front of a congressional committee and usually withdraws the nomination before the process actually happens.

We considered having the government take one committee of the Legislature to do that, but frankly we thought that was punishment not

suitable for any of the members here. Nobody wants to get involved in that.

We thought the government might take certain types of appointments and put them in front of a committee. In one sense, we did identify that. We thought it would be possible for people who are considered to be directly related to the assembly itself. It is a very short list: the Ombudsman, the Clerk, the Sergeant at Arms and a few different officers of the assembly. It is a handful, relatively speaking. That process would be a little bit different for them, because they are seen to be people who work for the assembly and not for the government.

In each of those cases, we identified them and said, "This will probably go for a review before a committee almost all the time." For example, in the appointment of a new Clerk of the assembly over the summer, we used the process that was historic—I would not say revolutionary but historic—in Ontario. We actually advertised the position across the country. We got a large number of well-qualified people, and we set a committee to work on choosing the person who would be recommended as the new Clerk.

In my view, the process worked remarkably well. Although I viewed it with a little bit of apprehension initially, as I think all the members did, there were members on all sides who simply wanted to say, "Let us get the best person to do this." We all recognize that the Clerk of the House has to enjoy the confidence of members on all sides. I think the process worked particularly well in this instance.

16:20

For the rest of these appointments, we said there ought to be provision for the government to initiate the nomination process; in other words, to table a piece of paper to say that within 60 days a person is going on the Ontario Racing Commission or wherever. The members of the assembly would have a time period to consider it of 30 days, 60 days or whatever one wanted. If they thought something ought to be questioned or reviewed, they would have an opportunity to go before a committee and say, "I would like to have this nominee come before our Legislative Assembly committee, and we will review the nomination."

We dealt with the rather sticky issue of whether a committee could stop the nomination process. We recommended a technique that says yes and no. With the logistics, politics and pragmatics of it all, we have said the government has a clear right to appoint these people and the assembly has a clear right to review the process.

We have said we do not want character assassination. We do not want committees of the assembly to present long reports that say, "The government's nominee in this regard is a dumb person who has been a crook for 20 years and we do not like that." We did not think that would be appropriate.

We talked to a number of American legislators who have found this to be a thorny problem over the years. They all said pretty much the same thing: "Do not get into a situation where you not only turn down a nomination process but also get into character assassination." They said that if we were going to do it, we should put in a notice that the appointment was not appropriate or something such as that. That is roughly the recommendation here, that if a committee reviews someone nominated by the government for a position and it is not happy, it should not go into a long argument about why it is so unhappy; it should simply say it is unhappy. The government, if it is sensible and sensitive, will take that as notice that it is not appropriate. That is roughly the way it goes. I do not think the review process is complicated or unwieldy.

I want to comment on the reply, which I was a little disappointed with. My disappointment was shared by others in the assembly and around Ontario. The disappointment was that in the preparation of the report, I do not think there is a member of the committee who could not point to a section of the report or to one of the recommendations and say: "I do not like that. I would rather do it some other way. I would rather be more direct. I would rather take away the right of the government to make these appointments and put it somewhere else." We can all find fault with it.

I am admitting the report is a compromise and a very pragmatic one. To put it as succinctly as I can, we took it to a level where all three parties accepted that the process was a fair and reasonable one, was not overly complicated but provided for the basics and was an open and known process. The public could have access to the process. The Legislative Assembly could have a measure of review. That is it.

I did not expect, and I did not get, rave reviews for the report, but collectively, it is a substantial alteration of the previous practices of this assembly and is much better than anything I have seen before. That is a reasonable thing.

As to the reply from the government, I was taken aback. The reply was tabled in the assembly in the afternoon. Maybe I am wrong, but I had anticipated that the government would

have paid some attention to this, that a minister would have made a statement or that there would have been some recognition that the reply had been tabled with the Clerk.

I was taken aback to find it was tabled with the Clerk, as is required under the provisional standing orders, but more openly, it was tabled in the press gallery. That disappointed me somewhat. As a courtesy to someone who has spent the better part of a year trying to get consensus on this issue, it would have been nice had the government sent me and the members of the committee a copy of the government's reply before it was sent upstairs to the gallery. I am not quibbling that anyone did anything wrong. I am not quibbling about anything other than simple courtesy. It would have been wise.

Second, the difficulty I have with the reply is that there is a bit of a notion that the government has evolved its new, cleaner, more open patronage system, but it makes it very clear that it will all stay in the government's hands. The computer bank that has this list of names will be part of the Premier's office. The notice that there are appointments available will be done by government press release. These are nuances, I guess, and that is what set me back just a touch in that reply. It is not rejecting out of hand that somebody ought to do this in a more orderly way; it is saying: "We are already doing that in a more orderly way. Are we not wonderful?"

That aggravated me. Why bother to have a committee work for the better part of a year to try to get consensus and at the end of it say, "We are already doing that"? That was not the purpose. The purpose of the exercise, as I understood it, was to have a committee of the assembly set this out; then the government would say: "That is a wildly impractical scheme. Here is our idea on how to do the same thing sideways or better." That would be fair. However, for the government to take that congratulatory note in its reply did upset me.

Mr. Treleaven: "Condescending" is better.

Mr. Breaugh: I understand that.

Second, we set out to put in place a review process. In my view, probably the single most important thing for the committee to do was to establish the review process, to put some process in place for starters and to see that it was done in an orderly way. Most of us have an interest in seeing that if there is to be a review of this appointment process, it ought to be orderly and it ought to have some sense of logic to it.

It was pointed out during the committee stage when we were working at this review mecha-

nism, "What can we do now?" The truth is, we are in a minority. In any one of our committees, if the majority of members want to haul some appointee in front of them and play catch as catch can, they will do it; they can do that right now. Some have already begun to do it and more will do it later on. I suggest that is not appropriate. I suggest there ought to be a recognized and established way of going about this. I do not mind catch-as-catch-can for members; it may not be fair, but it is part of the process. We are politicians and we understand the rules of procedure around here. We are all big little boys and girls, and we can take whatever slings and arrows anybody wants to throw at us.

The rumour is that every appointment is \$70,000 a year, a limousine and a big office. The truth is that is not the case at all. There are about 40 or 50 appointments that we could consider to be full-time, well-paying jobs—better paid than the members of the assembly, let me put it that way. That cuts them down in a hurry. The bulk of them are jobs people are doing on a part-time basis; they get a per diem and expenses and that is it.

I do not believe it is fair to haul in people who are giving of their time to help run Ontario, put them in front of a legislative committee and badger the hell out of them. That is grossly unfair. I know that is happening. I know it has happened in the past, and in a minority it can happen again. If some hot political issue develops in the next few days and the government appoints someone of some controversy, or even if it is an innocent person who is appointed but the controversy exists in the agency, the members by motion can haul that person in front of a legislative committee and there are very few rules controlling the conduct. There are no real guidelines about why that person is there. The person could be held accountable for things that he or she had nothing to do with; the person is absolutely innocent in the process.

We said, in our most pragmatic way, "Put a process in place here, one that says before the appointment is made, the government notifies the House." If we have someone we want to review, we go off to committee and say, "I would like to do this." If nobody does anything, the appointment stands and away it goes. However, if we do call in a government nominee for review, we should not assassinate that person's character. As members of the assembly, we have the right to review the appointment and test whether the person is well qualified.

From my point of view, the best part of this is that in my experience of talking to people, especially to Americans, they say that if someone is going to do a poor job of running an agency, they want to find out before they set him up to run the agency. We think a fair and reasonable test is to allow the person to be invited in front of one of our committees to talk to the committee for a while.

16:30

It might get a little hot and heavy once in a while, but for instance, if you were running the Ontario Racing Commission, Mr. Speaker, would you not want to know that the person could at least represent the racing commission in front of a committee of the Legislature with reasonable competence? That is going to be part of the appointment. In our recommendations we said that we should recognize the process, put some limits on it and not make it catch-as-catch-can. This should never be an ugly process for the public because the vast majority of people who are appointed are not going to get a lot of financial reward.

For a number of years, this committee, under another name, reviewed agencies of the government. It was a long and hilarious process to try to find out how many agencies there were and how many appointments were made. I have been at this for about eight years and I still do not feel confident that I know how many agencies of various kinds there are in the province. To give an answer to that, I have to put some qualifiers on the answer. I have to say: "We can tell you how many are done by order in council. That is what is in this big, black book and we can put a handle on that." The previous government made an attempt to find how many agencies there were. Management Board of Cabinet tried and could not do it. They hired outside consultants who could not do it. They set up a committee of their own back-benchers who could not do it. Finally, it was landed on a committee of the assembly.

After eight years of looking at it, we have a much clearer idea of who they are, what they do and what they are all about, but I cannot honestly say why the per diems are \$200 for some agencies and \$100 for others. For the life of me, I cannot say why the full-time people who chair some agencies get \$80,000 and others get \$45,000. There appears to be no rhyme or reason to it at all.

I do not know why some of the appointments to agencies are for life and some are for two years or for one year. It is not clear to me why some agencies have clear restrictions on what they do

and others do not. It is not clear to me why, as to conflict-of-interest guidelines, there are clear rules on how some of the agencies grant government money to individuals and businesses, yet for others the guy leaves the room.

In our long search through these agencies we uncovered these relatively common practices. There is a basic conflict in many of the industries, such as pesticides. The previous government went through a long justification process of saying that the only people who could advise it on things such as pesticides were people in the pesticides industry. We kept saying to all the nice people who came before us: "Is there not a little conflict here? How can you come in from the private sector one day and advise the government the next?" There are long-term ramifications to that. They do not just give advice. The advice gets translated into regulations and the regulations govern that exact same industry. Is there not a need to separate that, to put a little distance in there? They said that it was the way they had always done it, but I say there is a need.

For these reasons, the review part of the process is not only desirable but also necessary. I agree that there ought to be a vehicle whereby committees of the Legislature should be able to review these appointments under controlled circumstances. I do not think it is asking too much. I do not think it is a revolutionary, unparliamentary step. Other parliaments do it. Why cannot we do it? Other parliaments have been doing it before we will be doing it. I am not making the case that this is going to be a large part of the agenda around Queen's Park. I do not want it to be and the committee did everything it could in its recommendations to make sure it will not be.

We were trying to establish the possibility of a review of a nominated appointment that is made by the government. We said that the government always has the right to make the appointment in the first instance, that the committee's right is to review it and that a reasonably legitimate and simple process should be put in place.

I do not believe we have suggested the perfect appointment process. To be honest, it is not my personal design for a process. What had me a little angry, and still does, is that the committee spent the better part of a year, off and on, trying to devise something that did not make everybody happy—I do not want to misrepresent this at all—but something on which everybody decided in the end, "We can live with it." It has a little something for the government, namely, the right to make the appointments in the first place, and

for the opposition side there is basically the right to review the process.

More important, there is something in there for every citizen in Ontario, the opportunity to at least send in and say: "Here I am. I am in Sudbury. I think I could do a good job on this commission. I am interested in it and I want to be considered for it. I want the government of Ontario to know who I am. I will fill out a little card and I will find out from the Ontario Gazette in the Sudbury Public Library what appointments are coming up this year and I will say I am interested."

We would be able to track that through the system and say, "It is being considered and that appointment will be made in three months' time or not until next fall," and they would not be lost in the process.

We have changed the process at Queen's Park a bit. I do not want to be negative about the government's part. The government has done something that I suppose the previous government thought was revolutionary because it did not do it in 42 years. They made public a document that lists not all of the appointments, but what I would agree is a reasonable cutoff point, those done by order in council. I am not being overly critical; I am expressing my disappointment. I guess that is the way to phrase it.

I think the committee did a good job, not the world's greatest, but then we did not go out and spend a lot of money either. Basically, there were 11 members of the assembly arguing back and forth about what is fair for all sides. I believe we came up with that. I believe the committee's report on appointments in the public sector deserves better than the government's reply so far.

I note that the government has not rejected these other things either. That is fair. It just kind of kidnapped some and set aside others. I want to make a plea as I end my little part of this discussion. I want to note that a lot of hard work was put in on this whole thing. I believe the concepts are good, straightforward, honest ones that will serve this government and this assembly well. I believe we will need to use a system such as this for a little while before we really know how much of the time of the committees of the assembly it will take up.

I stated the bias of the committee that it would not be a lot of time, that it would probably be a rare occurrence when members of the assembly in committee would review a government appointment, but that the possibility such a review

could take place was an important thing to have. That is really what did some good. I believe that was a useful exercise.

I do not have to ask today for the government to reconsider and adopt all of the committee's reports. Frankly, the government would not go far wrong if this afternoon, at the end of the debate, we were simply asked, "Shall the motion carry?" and that is the way we do it for a little while. We could try it on for size and see whether it works. I say that with all sincerity because there are no crazy ideas in this. There are no revolutionary thoughts. There is about a year's worth of argument among some pretty reasonable members of the assembly to try to find a process that is fair to all sides, one that is not too complicated, one the public can understand. It would be a public process for appointments. I believe it was pretty reasonable stuff, quite frankly, and I would have no hesitation in saying that if we do this, we will serve the people of Ontario well today while we still have the process under way.

However, I caution the government. They will make me very angry if they reject the review side totally. I do not believe that is appropriate any more. They could have convinced me a few years ago that in public sector appointments in a parliamentary system we do not need a review. Forgive me; it is not the government's fault. Brian Mulroney has sunk the ship on this one. In the Canadian political experience, if there ever was an argument to be made that in a parliamentary system one cannot have reviews of public appointments, the guy who took that ship to the bottom of the Great Lakes is Brian Mulroney.

No longer can a government get away with saying, "Here is one New Democrat we have appointed, one Tory we have appointed and 1,000 Liberals we have appointed." That is no longer seen by the public at large to be fair and reasonable. I know Brian Mulroney appointed Stephen Lewis to the United Nations and I know Stephen will do a great job as ambassador there. I think the Cape Breton speech was correct.

Hon. Mr. Nixon: Why do you not tell us about Ian Deans. Give us a little speech about Ian Deans.

16:40

Mr. Breagh: All right. I will give a little speech about Ian Deans since the Treasurer (Mr. Nixon) invited it. I have no hesitation. I want to say this before I start; not everybody in my party feels this way about it. I worked with Ian Deans here. I make no apologies to anybody in this world for appointing Ian Deans to something that

regulates labour matters. If I were going to appear before a labour tribunal, that federal one or any provincial one, and I walked into that room and Ian Deans sat down as chairman of that commission, I would feel we were going to get a fair shake, for one thing.

Second, he is going to know what is being talked about. He has paid his dues, in my view. I do not think he has to apologize to anybody. There are those in my caucus, and certainly in my party, who believe that New Democrats should wear hair shirts through their entire lives, that they should never get paid a decent wage and should never accept a public appointment. I am not one of them. The members who know me know I am not one of them, so I do not have any problem with Ian Deans, Stephen Lewis or anybody else.

Hon. Mr. Nixon: That is it.

Mr. Breagh: It is not a long list.

New Democrats, Tories and Liberals can handle these jobs. That they were at one time active in the political process should not disqualify them. There are a lot of people, many of whom have nothing to do with politics in Ontario, do not belong to any political party, have never been a part of the political process and do not even know these agencies exist and may not know when it goes off to their local library in the Ontario Gazette.

This is why it is necessary that there be an advertising process, however limited, once a year. If the town of Kirkland Lake can do this, surely the government of Ontario can do it. I know it is not reluctant to advertise. I see the government advertising that is done in Ontario, talking furnace and all. That is not a bad thing for a government to do. We are not talking about a major ad campaign. Notice is what we are talking about here. We do it for everything else; we can do it for this.

I commend this report to all members as a reasonable way to proceed. I have expressed that I am sad the government kind of shoved it on to the back burner. I hope the government said, "We will do a bit of it now, but we will also reflect a bit that a year or so ago, when we first became the government, we were a little more gung-ho about this idea than we are now." That is fair. I do not want to belabour the point, but I think that is true.

Not to let the cat out of the bag here, I remember sitting in a certain hotel room. It was not I or any of my colleagues but a Liberal friend of mine sitting in a hotel room in downtown Toronto who I think said the words, "I guess we

will have to have a different process for reviewing appointments in the public sector." A very educated person said that. I took him at his word in that hotel room that day.

Hon. Mr. Nixon: It was obviously not me.

Mr. Breagh: The member for Brant-Oxford-Norfolk (Mr. Nixon) was wobbling off somewhere. I do not know what he was doing.

A reasonable process has been suggested here. The government has accepted some of it. I am saying, let us accept the rest of it. It is not a big deal. It is not going to inhibit the government's right to appoint its friends to anything. All we are asking is that they be competent friends.

We are also asking that other people—other members from other parties and other people from councils and schools boards, ethnic groups, agencies and volunteer groups—have the right at least to put forward names. Then the government can go through the list and say: "This is a good person. We would like to take the process a bit further and here is our nominee." It is hardly a radical suggestion, folks. It is something that is reasonable, decent, appropriate and simple enough that it will work.

At the end of the day, I hope the government will allow a vote to be called, that the members of the assembly will say yes or no and that the committee report will be adopted. I commend it to the government. I think it is a reasonable and practical thing to do and I hope they will do it. As I sit down I want to tell them, so that it will not come as a surprise, that if they do not and if they turn it down, I am going to be so mad because they put me through a year's work in committee on this little thing, that they will not believe my anger.

Mr. Mancini: The member for Oshawa has literally worn most of us down by his lengthy comments this afternoon, by his numerous repetitions of the events that have occurred over the past year and his explanations over and over again of what we have done, how we have proceeded, what has happened and what has not happened. I want to let the members of the assembly know that I am not going to indulge in these repetitions and I am not going to indulge in repeating my comments six times to wear everybody down. If the member for Oshawa had talked for another 10 minutes, he could have gotten everything. He stopped too soon.

Mr. Breagh: On a point of order, Mr. Speaker: I want another 10 minutes.

Mr. Mancini: He stopped a bit too soon.

The Acting Speaker (Mr. Morin): The member must address the topic.

Mrs. Marland: You wish you were so eloquent.

Mr. Mancini: Mr. Speaker, I want to say to you and to my good friend the member for Mississauga South (Mrs. Marland) that she adds a great deal more to the assembly than her predecessor, who I cannot recall.

I will not take the time of the House to tell the members what they already know, that a committee has worked a long time preparing a report, that the report dealt with appointments in the public sector and that the report received a response from the government House leader. The response from the government House leader did not in any way reject the committee's report, but asked that some consideration be given so that the report could be reviewed, thought about and commented on later on.

I disagree entirely with the member for Oshawa when he says there has been some kind of reform process in Ottawa and we are not yet up to date with whatever reform process has taken place there. Other than not sitting in the evenings, other than a shuffle of some of the minor rules by which the members of the House of Commons govern themselves, there has been no reform whatsoever. What the member for Oshawa is referring to is the fact that the Prime Minister of Canada has said there may be three or four situations where a committee of the House of Commons may review who should be appointed.

That is a far cry from the reform we put in place here in the Legislative Assembly of Ontario. Anyone who will take 10 minutes or so should have no trouble compiling a list of the number of things we have done in parliamentary reform as it pertains to the assembly and the rules by which we govern ourselves, such as the members' statements, the members' replies after speeches and a number of other things we have done that I do not want to get into.

I am glad the member for Oshawa stated that not everyone agreed with every part of the report. When he was commenting to the media in regard to the reply he received from the government House leader, I am not sure he indicated that quite as clearly as I would have wished he had. He was far more negative at that time than he was today. As a matter of fact, today he was almost congenial. Having worked with the member for Oshawa for a considerable time, I know he can be congenial most of the time. I do not blame him for making these strong public statements, but I

do not think what he said and the way he said it at the time were identical to the way he said it this afternoon. I think that is important.

What do I want to say here today? I want to say that we have done a number of important things. We came to a conclusion as to the number, and this number can still be expanded, of officers of this assembly and other people who report directly to the assembly and how we should deal with their appointments. We had an A list and a B list; one dealt exclusively with people who are directly responsible to and work directly here in the House, and the other dealt with those who work outside with some crown agencies but who are directly responsible to the members in one way or another. We made up these two lists, and we talked about expanding the lists. Nothing of this sort has happened in Ottawa. They are not even dreaming of doing the things we have done.

16:50

It was mentioned earlier today that the publication which lists the appointments that are available and the people who have been appointed is now public knowledge. The member for Oshawa has a big black book. There is not a member here, other than the Tories a couple of years ago, who ever set his sights on the big black book or who ever knew when an appointment was going to be available. We used to read in the newspapers, if the newspapers carried the appointments, about who was appointed. Therefore, I say that making this information available to all members, having a copy in the library available to anybody who decides to walk in and wishes to take a look at it, is a pretty big step forward.

I also want to talk about how the process may evolve, how it may take place and what happens in other jurisdictions. I want to be very clear this afternoon and I do not think I am saying anything today that I did not say in committee when we were working on the report.

The congressional system of making appointments does not appeal to me a great deal. I have watched the system in the state of Michigan and I have watched it operate as it does in Washington. I do not believe for a minute that it adds to the process. What I have noticed, both in Michigan and in Washington, is that approximately six months prior to an election, when the two parties have pretty well prepared their platforms and know how they are going to run on certain issues, we start to see a little more activity from the senators and the congressmen about whom they are calling in for reviews, at what time of the day, so they can be on the evening news, and what

type of co-ordinated action they are going to take.

Believe me, if it happens in Washington and if it happens in Michigan, if we embrace the congressional style of reviewing appointments, it is going to happen here, without a doubt. A few months prior to an election, the committee or whoever is responsible for reviewing these appointments, as was outlined in our report, is going to be hauling in everybody he can to cause one political embarrassment or another to the government. That is part of the political process in the US. Whether we want to incorporate that as part of the political process in Ontario is something we can debate a little further.

I will also point out something I think is important. We do not need either a majority government or a minority government for members to be able to call before a committee certain agencies and certain appointees of those agencies to review what they have done, to review their personal backgrounds and to find out how they have been appointed.

We have a rule in the assembly that, once 20 members sign a petition that says, for example, "We want the Ontario Human Rights Commission annual report referred to the standing committee on the Legislative Assembly," it is automatic. That report goes to that committee. The chairman of the agency has to appear, as does anybody else the committee wants to see. It has been done in the past on a number of occasions.

We have always to some extent, although perhaps not to as great an extent as we should have, in some way reviewed their political appointments, who they are and what they have tried to accomplish over a period of time. That option is still available to us. The estimates procedure is another option that is still available to the members if they wish to use it, along with the procedures of question period and other situations in the House that allow members to try to obtain information on appointees, such as who they are and what they are doing.

As of June 26, 1985, we have made a definite break with the past, a division of substantial proportions that will not allow this Legislature to return to the days prior to May 2, 1985. We have changed the rules of the House and we have changed what has gone on here. It is impossible for any government to return to those days. It is not possible.

The member for Oshawa and others say, "You appoint one or two Conservatives and one or two New Democrats and then you appoint 2,000

Liberals." The facts are not that way. He knows the number of people who have been appointed. I do not have to list them. We have talked about some of them in our committee meetings. He knows that a substantial number have been appointed from Windsor, from Essex and from every part and region of this province. People have been appointed regardless of political affiliation. That has taken place. Some of the appointments are for up to three years; some are for not quite as long.

I find that people in my own community now are asking for more balance on certain commissions such as the police commissions. We are trying to give them that balance. Before May 2, 1985, every single member of every single police commission that operated in the constituency of Essex South had a direct affiliation with the Progressive Conservative Party of Ontario. It was absolutely shameful to have an organization as important as a police commission, which oversees the operations of the police, one of the most important public bodies in our community, controlled unanimously by one political party. That was shameful and it can never be changed on the record books. It is there for everyone to see.

Sometimes I wonder about the impartiality of the Deputy Speaker, who interjects all the time. I do not think he should be interjecting all the time when he is Deputy Speaker. He is here to enforce the rules; shame on him.

Mr. Treleaven: On a point of order, Mr. Speaker: If the member for Oxford (Mr. Treleaven) interjects, it is as the member for Oxford. I shook my head at the member. I did not interject.

Mr. Speaker: I remind all members that all interjections are out of order.

Mr. Mancini: I want to tell the member for Oxford that he is the Deputy Speaker of this House. Whether or not he says he is the member for Oxford, he above everyone else should set an example for the rest of the members. He above everyone else should show the members that interjections, such as I make myself on rare occasions, are perhaps not agreeable with the rules we govern ourselves by.

17:00

I was talking earlier about police commissions, before I was rudely interrupted by the Deputy Speaker, the member for Oxford, through his interjections and point of order, etc.

Every single appointment to the police commissions was of one political persuasion. I have now changed that. Now we have people from all

political parties on the police commissions, and we have received nothing but congratulations from the municipal councils and the community as a whole. We have put an equal balance and we have shown some fairness that had never been shown before. We did not have to do it, it did not have to be done and it was not done because of political pressure. It was done because police departments are important to the community and the community must be reflected on the agencies and the boards that govern the police departments.

In conclusion, I want to say to the members of the standing committee on the Legislative Assembly who have worked along with the chairman very diligently and who, I believe, have come to some sort of a consensus, we worked hard during the past year. I do not think our work will not be considered in any way as duly effective work, things that this assembly may completely disregard. I do not think that is going to happen at all. We have worked well. We have an approach here that we have to consider with some thoughtfulness.

We should consider the points I made in committee about list A and list B, because there is room there for members of the assembly to have some significant input. If we are not concerned about the minor appointments that the member for Oshawa was talking about, if we do not have time to do it anyway and if we are not willing to subject any committee to the kind of work it would entail to review all the minor appointments, then the people we put on list A and list B become very important. If we had to review every position mentioned on lists A and B, that in itself would be a considerable amount of work.

I cannot close without saying that it was the Legislative Assembly committee, our members, working together, alone, without interference, that hired a new Clerk for the Legislative Assembly.

I want to ask my friends across the floor: Do they think that would have happened under the old government? I do not think so. I think what would have happened was that the evening before the announcement, around 6 p.m., the member for York South (Mr. Rae) and the member for London Centre (Mr. Peterson) would have received a telephone call saying, "Gentlemen, I want to inform you that as of eight o'clock tomorrow morning we are announcing whomever to be the new Clerk of the assembly." That is the way it would have happened, and they

know that. We have made substantial steps forward.

I know that they feel there is more we can do and I think there is more we can do. I just say to the committee, we have worked well over the past year, let us continue to have our dialogue. Let us keep working together and we can continue to improve the system.

Mr. Sterling: The report that the Legislative Assembly committee has prepared is probably one of the finest reports that either that committee or the standing committee on procedural affairs, its predecessor, has ever prepared.

I was somewhat upset by the previous speaker. I did not interject when he was talking, but the whole tone of his speech, in which he tried to compare this government with a federal government and tried to say it is doing so much better than the previous Conservative government of which I was a member, smacks against what the Legislative Assembly committee was trying to do. I am really upset with the attitude that member put forward in the debate.

In some ways, this report tries to meet a growing cynicism in the public of Ontario and Canada about the political process and its system of political patronage, or what people know as political patronage. It is important from the standpoint of trying to define one part of the political process and acceptable political conduct in that process.

As the member for Oshawa pointed out, there are a number of recommendations contained in this report which various members of the committee did not agree with. I must admit that the recommendation in the report to have a collection of names put forward by an administrative body rather than have the thrust of the nominations or appointments come from the government was one I was not as concerned about as were other members, albeit I accepted that recommendation.

Political appointments can be classified in different categories depending on the function of the body to which the person is appointed. People being appointed to a quasi-judicial function, such as the Ontario Municipal Board, one of the environmental assessment review boards or any of the other boards that require a certain level of skill and objectivity, should be less political than the people the government appoints to positions that are of an advisory capacity or that deal with the management of a significant corporation, agency or body of the government which has to reflect the government's policy.

I do not think this government should be expected not to appoint Liberals to a number of significant positions. Although the people of Ontario did not elect the Liberals in the last election—the Liberals still have fewer numbers than the Progressive Conservatives—with the help of the New Democratic Party, the Liberals were put into government. That is a fact. Because they are the government, they should be able to reflect their new ideas or what ideas they do have, not only in what happens in this Legislature and in the committees of the Legislature, but also down through the rest of the system. I accept that. That is part of the political system.

The response the government has made on an interim basis is probably not to its benefit. I will tell the members why. I always felt that when one is trying to appoint a friend—a Liberal in this government's case—it is very difficult to justify the appointment. The public's perception is, "You are putting an old hack or a friend of the party into the position," and people are cynical about that appointment.

The process that the standing committee on the Legislative Assembly came to would assist the government in appointing some of its friends to some of the positions because the appointments would be reviewed. The government could say, "We appointed a Liberal to this position, but the Legislative Assembly committee, which is an all-party committee, has a right to review the appointment."

The way the system evolves now is that people who are associated with politics, be they Liberal, Conservative or NDP, are put in an almost negative position in terms of appointments. They are prejudiced either because they are in opposition or because they are friends of the government. The public has a very cynical point of view with regard to appointments that are made by the government. There are 2,500 appointments that the Legislative Assembly committee would like to review or have the access to review each year. If the government does not accept the Legislative Assembly committee's report and say these people are subject to that review, that cynicism will continue.

17:10

From another standpoint, I do not know what it is like in your party, Mr. Speaker, but in each political party there are a number of people—let us call them hangers-on—who seem to be there when you are in power but do not seem to be there sometimes when you are not in power. Those people are in the system not for what they believe in, either in terms of the policy of a particular

party or as an individual, but for what they can get out of the system once the party attains power. Sometimes those people do not have what it takes to sit on a board or to be a member of a commission; they do not have the competence to take an appointment.

Irrespective of their competence, these people are sometimes very belligerent and straightforward and insist on an appointment. In terms of the defence of a government, I would have loved to have had a review process in place when, as a minister, I was dealing with the Niagara Escarpment Commission, because I had all kinds of recommendations coming from people about who should or should not be on that commission. As the minister, I would make the recommendation to cabinet, and cabinet would approve it.

It would have been much easier for me as a minister at that time to have been able to say, "Are we going to put forward so and so, who happens to have some affiliation with our party, when this individual is not competent and does not understand what his job is to be?" I would have preferred to have a review process whereby anybody in this Legislature could have had the opportunity to challenge that individual. I could then have said to the individual or to the people who were proposing that individual, "This person will be subject to a pretty rough go if there is a smell that he is not competent and able to take up this job."

The other advantage of a review process that I do not think has been pointed out by the member for Oshawa is that once you have a review process, not only is the Legislative Assembly committee, or any other committee that would be reviewing the appointment, aware of the qualifications of the individual, but there would also have to be a definition of what his job was to be once he served on a board or commission. In a number of commissions and agencies we have reviewed during the past five or six years, we have tried to create a memorandum of understanding about what a particular agency or commission was to do.

I can recall having some influence in the past over recommendations about people who might sit on a local conservation authority. I see the Minister of Natural Resources (Mr. Kerrio) here. I would get a call from an individual who I thought had some skill and was supported in the community to sit on a conservation board. The individual would ask me, "What am I to do once I get on the conservation authority?" Quite frankly, I did not have a description of what his job was to be.

The spinoff of having a review process would be to force the government or the agency to describe what the appointee was to do once he sat down there and did his job.

It is clear in some cases what members of a board or a commission should do. What each agency and board was to demand of the members would become more crystal clear if in fact the review process were in place. If a person were in front of the committee for an appointment it was considering, the question the committee would try to match would be, "How does this individual fit into the job he is being placed in?" The job qualifications would have to be put on the table as well as the individual's qualifications. Therefore, I see a very definite benefit in matching those two factors.

I am going to yield the floor shortly, but I would like to comment on the government's response to the recommendations. I am not satisfied, as the chairman of our committee was not satisfied, with the number of recommendations that have been accepted by the government and what it has done to date in this whole area. There is a statement in here that since some of these recommendations, particularly the ones relating to review, would entail a significant departure from parliamentary tradition, the government wishes to examine them further.

I think we are going through a period of evolutionary change within our parliamentary structures in Canada. We have had the Charter of Rights. In the Legislature, we have subjected ourselves to another overall document, which says we cannot legislate in certain ways any more in this place. We had one piece of legislation, Bill 30, that was subjected to a Supreme Court test of whether that legislation would stand after that test.

In Orders and Notices, we also have Bill 34, which is a piece of legislation that deals with freedom of information and privacy. What we are saying in that legislation is that a minister can be ordered to release information. That is a significant departure from parliamentary tradition as well. It will be the decision, I predict, of this Legislative Assembly to go to that.

This process, while it may be a diversion from the British parliamentary tradition we have known in the past, is one that is necessary now, because of the cynicism which, as I have mentioned before, exists in the public mind with regard to political appointments.

I guess the largest lesson to be learned in terms of political patronage should have been learned from the most recent federal election. I believe a

great part of the result of the election, which so disastrously defeated the federal Liberals, was based on the patronage appointments by Prime Minister Trudeau as he was leaving. If those appointments had been subjected to some kind of review process, we might have had a different federal government or a more balanced House of Commons.

We must take a step towards a review process, or at least a trial of a review process; if it does not work, then it does not work. If we are spending all our time in a committee, as the member for Oshawa said, dealing with review processes, and members of the Legislature are engaged in a scathing or undue examination of a person's private life when it has nothing to do with the appointment in question, then we should withdraw the process.

What we learned during the past year, when we talked to legislatures in the United States, was that the processes there improve the appointments and take away a great deal of the cynicism in the public view that a person is there only, to put it in an Ontario context, because he or she is a Liberal, a Tory or a New Democrat.

Once the review process is put in place, if this government so chooses, I believe some of that cynicism can be lifted. That will be a benefit to a Liberal politician, to an NDP politician and to a Conservative politician, because we are all politicians. If the people do not have faith in the structures we have and in the fact that we are willing to try to overcome that cynicism, we are all in trouble as politicians.

17:20

Mr. Warner: I appreciate the opportunity to participate in this debate. I wish to say at the outset that I found the committee work a very positive experience. The committee members worked well together. In my opinion, the chairman of the committee, the member for Oshawa, did a superb job of attempting to reach consensus on items; so there were very few votes.

The structure we used is a very good one, and I commend it to other committees. The process we used was to collect as much information and to have as wide a discussion on a variety of points as possible and to try to find common ground. When that was not possible, we had a vote. As long as there was a possibility for some common ground, we continued to seek it. The result was that we produced what I think is a first-rate document. The major credit for that goes to the chairman. I, for one, appreciate his direction.

There are a couple of areas I would like to speak on for a few moments. We should remember how this item got to the committee. The New Democrats put it there. It was part of the accord; it was one of the items to which the Liberals agreed. As a basis upon which they would form the government, they agreed they would reform the patronage system. We want to make sure it is clear in everyone's mind how this reform item got to the committee. We put it there.

Why was it necessary? That should be painfully obvious to most if not all the people in this assembly and, I suspect, to most of the folks throughout Ontario. In large part, the 2,500 appointments were all part of the political structure of the Conservative Party and deeply entrenched: library boards, public health boards, police commissions, harbour commissions—you name it; go down the list. How did people get on them? The Conservatives put them there.

We have not touched the liquor store jobs in this patronage system, but they were always part of that infamous Conservative patronage system. I remember all too painfully that when I was first elected, some of the first people to come into my riding office were people who were unemployed and seeking jobs. They wanted to know if I could get them jobs in the local liquor store. Naturally, I had to tell them: "I cannot. Go see a Conservative MPP, because that is how you get a job in a liquor store."

Mr. Callahan: I do not believe that. That never happened. That would never happen in a Tory government.

Mr. Warner: The member lives in wonderland if he thinks that never happened.

Mr. Mackenzie: He must have been a Tory before he joined the Liberals.

Mr. Warner: Yes. There is a Tory speaking for you.

The patronage system was well entrenched. The first credential was not ability to do the job; it was not even interest in doing the job. The first credential was connection with the Conservative Party. In some cases, as it turned out, that was the only qualification.

It was clear as well that the agencies, boards and commissions are not reflective of the makeup of this province. They are not reflective in terms of gender balance or of the multicultural nature of our province. We could drag one absurd example after another before us; I choose only one for illustration.

I think we all acknowledge that the Royal Ontario Museum reflects appropriately the histo-

ry of our province. It prides itself on having a unique collection of native artefacts in an attempt to capture some of the history and spirit of the native people of this province and believes it is a leader in the country in this regard. We discovered it had not a single native person on the board of directors. I would have thought that would be an intolerable situation; to the former government, obviously it was not.

We knew there was a need for reform. We should make no mistake about it. As my friend from Manotick indicated, the public of this country wanted change.

Mr. Callahan: They got it.

Mr. McClellan: You are no change.

Mr. Warner: I meant a real change.

Mr. Breaugh: Why do you not go out to the airport and await your appointment?

Mr. Warner: At the end of the runway.

The Acting Speaker: Order.

Mr. Warner: There are hecklers on both sides. I am used to it. I get heckled in my own caucus.

The public in this country wants a change. I think it is fair to say they were unhappy with the avalanche of appointments that came about at the end of the Trudeau era. They are equally unhappy with the little party of appointments that was created by the Mulroney government. The Mulroney appointments were no better than the former Trudeau appointments in terms of political patronage. The people in this province and throughout the country want a change, and I applaud that.

What the committee is trying to do, and has succeeded in doing in its report, is to identify that we have the opportunity for a totally different approach. We can inform the people of this province what positions are available, what qualifications are required, what remuneration, if any, is there and what the job involves. These appointments range all the way from an appointment that involves one meeting a month to something that involves a daily job for which there is a high salary—all the way from no remuneration to \$70,000 a year; it is a huge range.

I would think that the members of this assembly, to be fair and reasonable, would want the general public to have an opportunity to participate in the things that affect the daily lives of their communities. For example, there are many people in our communities who have an intense interest in the operation of the public libraries. I am sure they would be delighted to

serve on library boards. Some of those people might not belong to any political party and might not have a great interest in a political system. Should they be precluded from serving their community? I say no.

17:30

It is incumbent on us to make sure the people of Ontario know these appointments are available. Unfortunately, this is where the government's response is somewhat shortsighted. They say news releases will be sent to the community and ethnic media, which will eliminate the cost of newspaper advertising and distribution suggested by the committee. Baloney, quite frankly. As the member for Oshawa pointed out, this government advertises everything and sundry quite widely. There is nothing to prevent the government from advertising appropriately in newspapers and in local libraries.

I assume one of the things to be done is through the computer system that most of our libraries have now availed themselves of. The information should be in the computer bank available to the libraries so that ordinary citizens can go in, find out the appointments that are coming up and what is involved in those appointments and know how to apply for them. That would help to depoliticize the system of appointments.

I want to make it very clear that there are two types of appointments. One type, into which we might put libraries, conservation authorities and so on, is of a less direct political nature than certain jobs such as being chairperson of the Workers' Compensation Board, which is a paid job. In that type of job, the government obviously wants a person who is going to carry out its policies and philosophies. I have no quarrel with that; it does not matter who forms the government of the day. That government has a right to select the individuals in whom it will have confidence to carry out its policies.

I respectfully suggest that such other appointments as appointments to library boards should be depoliticized, and that average, ordinary citizens should have an equal opportunity to serve on those boards, even if they have no political connection. We have a chance to do that if the government accepts the recommendations of the committee. That is why I was very surprised and disappointed in the comments of the member for Essex South (Mr. Mancini).

After I listened to his speech, I understood why he then got up and left the chamber. To suggest for a moment this report proposes a congressional style of appointments is crazy. It does not. I do not know how one can read that

into it. It is ludicrous to suggest that there is an automatic review of all minor appointments. There is nothing in the report that says that. What the report does say is that the Legislature has an opportunity to review appointments.

We are talking about approximately 2,500 appointments. I would guess, for the sake of argument, that upwards of 95 per cent, 97 per cent or 98 per cent of those appointments would probably not be questioned. Why? Because the very nature of the process, in that a review is possible, says both to the government and to the person applying that they had better be a bit cautious in applying.

In other words, if you have something in your background of which you are not terribly proud and you know a review is possible, you also know your deep, dark past will be exposed. Therefore, that suggests caution. It also suggests caution on the part of the government. It is going to have to be very vigilant about whom it appoints. I respectfully suggest that means there will be very few reviews done, and that is probably a good thing. That mechanism is available. Should there be a mistake somewhere along the line and someone slips through who really should not be there—I cannot imagine there being a mistake; we are all perfect, right?—then we know the review mechanism is there.

I wish to turn to the government's response to another section which I find a little puzzling. On page 4, it says a secretariat is currently in place within the cabinet office which receives and collates applications for appointments—

Mr. Callahan: On a point of order, Mr. Speaker: There are now four Conservatives in the House and seven New Democrats. Surely there is something in the standing orders that requires you to declare that the third party is the official opposition and the Conservatives are the third party.

The Acting Speaker: That is not a point of order.

Mr. Warner: I accept the point of order. If it is based on quality, we are the government.

On page 4, it says the secretariat receives and collates applications for appointments and that a data bank supervised by civil servants is already established in the office to assist in the orderly processing of applications. It also says the cabinet office is continually working to improve the system.

That misses the point completely. We want to make sure that there is a data bank of information coming in, to which there will be some access by the committee that is empowered to review the

appointments, and that the data bank is available to the rest of the province in terms of what jobs are available, what the qualifications are and the remuneration, if any. Apparently, the government did not quite understand our suggestion; perhaps we did not explain it well enough.

Another point that troubles me is at the bottom of page 7 in regard to the set of recommendations involving the Legislature reviewing the appointments. They say: "However, since they would entail a significant departure from parliamentary tradition, the government wishes to examine them further." I will try to control my tongue on this one, but with respect, there is no significant departure from parliamentary tradition. It has been mentioned by the government member that we already have a mechanism for reviewing appointments. It does not happen to have been used terribly often, but it is available. We are simply suggesting we streamline that.

The very last item I wish to bring to the attention of the members and especially those of the government is a Toronto Star editorial of November 17, which expresses some of the things I have already mentioned. The last paragraph states:

"But the government's written response to the recommendations has been less than we expected. It says they 'would entail a significant departure from parliamentary tradition' and that it 'wishes to examine them further.' William Davis couldn't have said it better."

We need to pass this report of the committee and get on with significant reforms and resist any attempts by those on the government side who wish to retreat to the William G. Davis way of running a patronage system.

17:40

Mr. Treleaven: I did not realize there would not be a member of the government party taking part.

May I say first it is too bad that the member for Essex South is not still in the House. I could refer him to Erskine May and many ancient traditions which state that when the member for Oxford is standing in his place and in his seat, he is the member for Oxford. He is not the Deputy Speaker. He has no other capacity, and he may represent his constituents of Oxford as he sees fit and as every other member of this House may do.

Mr. Speaker: Order.

Mr. Treleaven: Am I off topic?

Mr. Speaker: I wonder whether this has anything to do with the report before the House.

Mr. Treleaven: It was just that the member for Essex South took umbrage at my shaking my head at him and muttering under my breath.

Mr. Breaugh: It was the rattling noise which accompanied that.

Mr. Treleaven: The member for Essex South could claim so.

Mr. Speaker: Order. The member did get up on a point of order, I believe.

Mr. Treleaven: No. This is debate.

With regard to the report at hand, the committee spent a year and a half—the chairman said a year, but I believe it was closer to a year and a half—and many dozens and scores of hours on this. If this report is either voted down by the government or adopted but allowed to gather dust on the shelves, it will be a long time before the committees can be stocked by members wishing to carry out such useless work. They have a lot of other work, and they do not need to spend a year and a half on a useless exercise.

When we started off on this exercise, on this report, there was cynicism in the committee. There was some cynicism and scepticism directed at Progressive Conservative members on the committee. However, that cynicism lasted for only about the first day. After that, the Liberal and NDP members on the committee realized and recognized that the Conservatives were serious. We recognized that it was a new day and that a new system was necessary. From that time on the cynicism disappeared. We worked as a team, as the NDP members stated.

It was rather discombobulating when I went to Charlottetown—

Mr. Callahan: That is unparliamentary.

Mr. Speaker: I will check on that one.

Mr. Treleaven: A member of each of the parties went to Charlottetown with the Clerk to the recent meeting of the Commonwealth Parliamentary Association. One of the topics was appointments in the public sector. I had the honour to be the lead speaker representing Ontario on this topic, ably assisted by the member for Scarborough-Ellesmere (Mr. Warner) and the member for Chatham-Kent (Mr. Bossy). We all agreed on the presentation. Our presentation was basically the report of the standing committee on the Legislative Assembly, and it was well received. The ideas were well received. We received many compliments from many of the other provinces. It was therefore a shock when we returned. We climbed off the plane on a Wednesday night at six o'clock, came down to Queen's Park to our

offices to work and in the mail waiting for us was the government's rejection of the report.

In deference to the member for Essex South, I am on topic. He was stating that the present government is adding balance—and my hand is over my heart when I say this—to local committees. In my riding, since June 26, 1985, no one but a Liberal has been appointed in the county of Oxford to anything. There have been past campaign managers, the past president of the Oxford Liberal Association, past city chairmen—even two jobs to one.

Mr. Warner: It hurts.

Mr. Treleaven: No. It does not hurt, but it is just a funny balancing that seems to be taking place.

Perhaps now I might mention this reply of the government to our report. The report is in three parts, with some relative motherhoods at the beginning, in the first four or five sections, some relative motherhoods at the end, in the last four or five sections, and the guts of the whole report in the middle, recommendations 8 through 15. That was the heart of the report. Generally speaking, we had fairly quick agreement in the committee on the ones at the beginning and the ones at the end. The government deigned to say, "These may have something to them, and yes, we will agree to a motherhood one here and a motherhood one there," but on recommendations 8 through 15, which took the tough slugging in the committee, the government said: "No, thank you. We like it the way it is. We like it the way it has been for years."

Mr. Callahan: You are admitting it.

Mr. Treleaven: Although interjections are out of order, I do not know what the member for Brampton (Mr. Callahan) means I am admitting.

A new day dawned on June 26. The committee recognized that and therefore, with our hands over our hearts, we all dealt with this process. The government said: "No, it is not a new day. Thank you, no. We like the trough the way it was." It has proceeded to fill it with Liberal seats. Nothing has changed.

In summary, I have the same editorial my friend the member for Scarborough-Ellesmere had. Nothing has changed. I do not believe the government has the will to change the system even if this report is carried and the recommendations are thereby given some legitimacy. I predict it will gather dust on the government shelves, and we will not see any change at all in the system. Many of us who have spent one year and a half on this will be very frustrated.

Hon. Mr. Nixon: I have listened to the comments of the members with great attention and believe they have been uniformly worth while. Actually, I felt quite badly when I realized the disappointment of the members at the government's response, which was couched in the nicest possible phraseology. As a matter of fact, we even ended up saying, "The government thanks the committee for its work and for its helpful and constructive recommendations."

While members may feel that was a condescending dismissal, I must draw to their attention that we really were saying we need to give the recommendations further consideration. If members believe that is a dismissal of the work the committee did and a statement by the government that we are not considering the recommendations in a serious way, they are wrong.

I will be perfectly frank. We were aware of the work. The report was available in good time. One of the rules that came from the same committee was that the government was to respond to the House within a certain number of days. Those days elapsed before the kind of positive decision the members opposite had been expecting could be reached.

Perhaps I should tell members what government is like. It is a very busy place. There were a number of occasions when it might have been possible for a group of government members whom I meet with regularly to consider this. When it was raised, there were always many other pressing matters—lunch; no, other pressing matters. I am being truthful as I always am in this connection.

It is an important report, and I seriously congratulate the members of the committee. I myself was a bit hurt when I saw some cockamamy draft motion in the name of the member for Scarborough-Ellesmere floating around, calling for members of the government to be called to the bar, imprisoned in the tower and their fingers cut off. I thought, "He is trying to send me a message such as 'Merry Christmas' or something like that."

However, I want to say in a more direct way that the government is proud of its record of appointments. If one were to ask any disinterested but knowledgeable person in this jurisdiction, there would be no complaints about our appointments.

17:50

Mr. Treleaven: Boo.

Hon. Mr. Nixon: One might find some Tory in the back streets of Woodstock who would say, "You are appointing nothing but Liberals," but

anybody who knows anything about anything knows that is not correct. It is hard to find a Tory in Oxford, and the member knows that. That is why he is getting so aggressive in his actions around here.

The decision was made early in the life of the new government that we would table the information on all order in council appointments. It is two huge volumes, which we update every six months with each of the appointments: who holds the job, what the term is and how much money he or she is getting. There are people who are tearing out those pages from the library, I presume, and waiting for the vacancies to come along. There are lots of jobs there. The members have all very wisely pointed out that most of them are really service jobs, where people in the community work for practically no money at all, sometimes with only expenses paid and often not even that. They carry substantial responsibilities and are sometimes subject to criticism, fair or otherwise.

At the other end of the scale, there are a substantial number of very important jobs, such as the chairmanship of Ontario Hydro, although no one is indicating there is a vacancy there or anything like that. We could list them. We know what they are. Having heard this debate at length, I am a little weary, and I am not up to attempting to list more than one. The Premier has gone on record as saying he will actively seek, by the proper tabling of a resolution, the advice of the proper committee of the Legislature for appointments of that senior type. The chairman of the Workers' Compensation Board is another that comes to mind immediately.

Somewhere between the hundreds of order in council jobs at one end, which have already been discussed, and the senior ones, there is a grey spectrum—I will not say of importance, because the jobs are all important, but of graduation.

A cursory review of the recommendations led some people in government to feel that the procedure would be more complex than we could cope with and that there would be a possible two-month delay following any order in council appointment, although I saw that the committee did its best to remove any possibility of a committee of the Legislature needlessly delaying these matters. As I read it, it looked to me as if the committee members had tried their best to move around any legitimate objections that might be brought forward.

On the other hand, it is complex. The government feels that its appointment practice has been fair and open and that the public knows

about all the jobs, what the salaries are and when the jobs will become vacant. We feel we are moving in the right direction.

One of the things that cut me a little was the view expressed by the member for Oshawa that the response was self-congratulatory. Frankly, I feel we have done a good job and we have made a concerted, measurable effort to make the appointments correspond, in their ethnic spectrum, to the community more closely than they have in the past. We have tried to make the appointments of men and women roughly equal, if possible.

I have even heard some people who are making recommendations express their concern that in an effort to do this, we obviate the appointment of other people who are of the wrong extraction or the wrong sex or who are in the wrong place at the wrong time. My own experience is that having an identifiable Liberal tag is anything but a benefit for people seeking office by appointment on the basis of an order in council.

Mr. Callahan: Quality.

Hon. Mr. Nixon: I will respond to the interjection. It is quality; it is an individual who can be defended. The point is, do not be afraid to defend him before the appropriate committee.

We are close to six o'clock. There is no point in my attempting to talk the motion out. It is not my intention to do that. I believe the report should be accepted by the House. It recommends certain things to the government that we have made clear we are not prepared to do at this time, but I assure the House that the government is looking on the recommendations positively. If we can get to a time when we can give it the urgent consideration it needs—and we will—then we will.

I want to point out that acceptance of the report does not give the members of the Legislature any substantial new prerogatives. All the members know that by their motion they can review anything in the committees they choose. That is true in a minority situation. It is true in a majority situation. The members act as they choose, and the majority rules. I understand, however, the need for acceptance of a procedure that will be readily understood not only by the members of the House but also by the residents and taxpayers of Ontario.

I want to conclude my remarks by once again thanking the members of the committee and asking them to read our response, inadequate though they may think it is, in the terms that it was presented. We feel we have not had time to

come to a definitive conclusion, but we hope to do so in the foreseeable future.

Mr. Callahan: I rise in the few minutes remaining to indicate that I am very pleased with the approach my government has taken. I notice no one has ever put in Orders and Notices the people whom I have had the opportunity and privilege to recommend for various positions. I have always taken the same position as my Premier and my government.

My riding is not unique, but it is a riding where, prior to a couple of years ago, many of the appointments were made on the basis of which party card one had, who one was and which party one belonged to. I am quite happy and relaxed to find now that when someone asks for consideration of an appointment, I no longer have to say, "Which party do you belong to?" I can say: "What are your qualifications? Send me a resumé and I will be happy to recommend you for that appointment."

All I have to say in closing is that today in Ontario a new wind is blowing through this province. The beneficiaries of that are the people of Ontario.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: I would like to indicate the business for the coming week.

On Monday, November 24, we will consider Bill 7 in committee of the whole House, with any votes deferred to 5:45 p.m.

On Tuesday, November 25, we will continue with Bill 7, if required, with any votes again stacked until 5:45 p.m.

Additional business for Tuesday, if time permits, and Wednesday, November 26, will be from the following list of bills: Bill 14, oleomargarine; Bill 127, surveyors; Bill 139, model law; Bill 112, pollution penalties; Bill 108, insurance; Bill 9, Ministry of Skills Development.

On Thursday, November 27, we will consider the following committee reports on conflict of interest matters: orders 50, 52 and 53, with any votes stacked to 5:45 p.m.

On Thursday morning, we will deal with private members' public business standing in the names of the member for Hamilton East (Mr. Mackenzie) and the member for Waterloo North (Mr. Epp).

The House adjourned at 6 p.m.

CONTENTS

Thursday, November 20, 1986

Private members' public business

Detroit incinerator , resolution 66, Mr. Newman, Mr. Brandt, Mr. D. S. Cooke, Mr. G. I. Miller, Mr. McLean, agreed to	3479
Property assessment , resolution 65, Mr. McFadden, Mr. Breagh, Ms. Caplan, Mr. Partington, Mr. Warner, agreed to	3487

Members' statements

Government automobiles , Mr. McLean	3497
Automobile insurance , Mr. Swart	3497
Football championship , Ms. E. J. Smith	3497
Chamber of Commerce meeting , Mr. Pierce	3497
Pay equity legislation , Ms. Gigantes	3498
Football championship , Mr. Ferraro	3498
Latvian independence , Mr. Shymko	3498

Statement by the ministry and response

MISA program , Hon. Mr. Bradley, Mrs. Marland	3499
--	------

Oral questions

Nursing homes legislation , Mr. Andrewes, Hon. Mr. Elston	3501
Low-income workers , Mr. Shymko, Hon. Mr. Conway	3502
Workers' compensation , Mr. Rae, Hon. Mr. Wrye	3503
Severance pay , Mr. Rae, Hon. Mr. Wrye	3504
Alcohol on OPP boat , Mr. Sterling, Hon. Mr. Nixon	3505
Occupational health and safety , Mr. Martel, Hon. Mr. Wrye	3505
Rabies protection , Mr. Callahan, Hon. Mr. Kerrio	3506
Tariffs on softwood lumber , Mr. Pope, Hon. Mr. Kerrio	3506
Workers' compensation , Mr. McClellan, Hon. Mr. Wrye	3507
Property assessment , Mr. Polsinelli, Hon. Mr. Nixon	3508
Trucking industry , Mr. Gregory, Hon. Mr. Nixon	3509
Workers' compensation , Mr. Mackenzie, Hon. Mr. Wrye	3509
Corn tariff , Mr. Stevenson, Hon. Mr. Nixon	3510

Petition

Property assessment , Mr. McFadden, tabled	3511
---	------

Report by committee

Standing committee on finance and economic affairs , Mr. D. R. Cooke, agreed to	3511
--	------

First reading

Election Finances Amendment Act , Bill 153, Ms. Fish, agreed to	3511
--	------

Second reading

Ontario Lottery Corporation Amendment Act , Bill 115, Hon. Mr. Eakins, Mr. Rowe, Mr. Hayes, Mr. Cureatz, Mr. Breagh, Mr. Swart, Mr. O'Connor, agreed to	3512
--	------

Report by committee

Standing committee on the Legislative Assembly, Mr. Breaugh, Mr. Mancini, Mr. Sterling, Mr. Warner, Mr. Treleaven, Hon. Mr. Nixon, Mr. Callahan, agreed to 3522

Other business

Recess 3496

Granting of exit visa, Mr. Rowe, Hon. Mr. Nixon, Mr. Rae 3500

Release of report, Mr. Andrewes, Mr. D. S. Cooke, Hon. Mr. Elston 3500

Business of the House, Hon. Mr. Nixon 3540

Adjournment 3540

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Breaugh, M. J. (Oshawa NDP)
Callahan, R. V. (Brampton L)
Caplan, E. (Oriole L)
Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
Cooke, D. R. (Kitchener L)
Cooke, D. S. (Windsor-Riverside NDP)
Cureatz, S. L. (Durham East PC)
Davis, W. C. (Scarborough Centre PC)
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Ferraro, R. E. (Wellington South L)
Foulds, J. F. (Port Arthur NDP)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Gregory, M. E. C. (Mississauga East PC)
Hayes, P. (Essex North NDP)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Marland, M. (Mississauga South PC)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
Miller, G. I. (Haldimand-Norfolk L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Partington, P. (Brock PC)
Pierce, F. J. (Rainy River PC)
Polsinelli, C. (Yorkview L)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Rowe, W. E. (Simcoe Centre PC)
Shymko, Y. R. (High Park-Swansea PC)
Smith, E. J. (London South L)
Sterling, N. W. (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Swart, M. L. (Welland-Thorold NDP)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wrye, W. M. (Windsor-Sandwich L)



No. 68

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Monday, November 24, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M5N 8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, November 24, 1986

The House met at 1:30 p.m.

Prayers.

MEMBERS' STATEMENTS

ARTS FUNDING

Mrs. Marland: The persistence of the Treasurer (Mr. Nixon) in proceeding, against the advice of the Bovey commission, with an amendment to the Retail Sales Act that he quite mistakenly believes will affect only international performers and commercial ventures represents nothing more than this Liberal government's continued determination to destroy the foundation, profitability and financial integrity of our arts organizations. It is an effort to ensure that our important theatre industry is more dependent on the whim of this Liberal government, the most offensive kind of patronage imaginable.

Bill 26 has serious and long-ranging consequences for every sector of our arts community. Currently, because of their charitable organization tax status, community-based and non-profit theatres can support local volunteer concert organizations, can aid the careers of Canadian performers and can provide first-class entertainment on a regional basis across Ontario. Their contribution to the quality of life in this province is recognized by the sizeable contribution to their operating budgets provided by every municipal taxpayer in this province annually.

Now, because the Treasurer misunderstands the operation of theatres such as the O'Keefe Centre, Roy Thomson Hall, the arts centre in Ottawa, the Centre in the Square in Kitchener and the Thunder Bay Community Auditorium, the profitability and financial integrity of these important institutions are jeopardized.

TARIFFS ON SOFTWOOD LUMBER

Mr. Wildman: I rise to bring to the House's attention another deadline I hope this government will not miss, as it did the November 3 deadline, for filing an intervention with regard to the softwood lumber countervail tariff. This government missed the deadline on November 3 and, as a result, cannot make an intervention in the appeal process; at least it cannot speak before the commission. However, there is another

deadline, this Friday, that will make it possible for this government to file at least a written intervention.

There are large numbers of layoffs occurring throughout northern Ontario as a result of the imposition of the 15 per cent countervail tariff. It is imperative, particularly now that the Premier (Mr. Peterson) has failed in his attempt to win over the other Premiers and the Prime Minister of this country to the position that we should be fighting the countervail, for this province to make a presentation on behalf of the producers and the workers of this province separately from whatever action the federal government takes on behalf of this country.

If we do not make a presentation indicating that we are not prepared to have our stumpage fees decided in Washington, DC, then we are opening the way for this country to move to a situation where the Americans will decide all our ways of dealing with private industry in this province. It is imperative that this government make the deadline.

READING MACHINES FOR THE BLIND

Mr. Newman: I had the opportunity earlier this year of attending the convention of the National Council of State Legislatures in New Orleans, where I noticed the use of reading machines to assist blind and visually impaired individuals. In 1985, the Texas legislature enacted legislation to place 70 reading machines in public and college libraries serving blind and visually-impaired patrons. In 1979 and 1981, New York and New Jersey did similar things.

The advantages of placing reading machines in libraries are many. It provides the cornerstone for a resource room serving the blind. It allows instant access to books, periodicals and reference materials. It enables blind patrons to convert print to Braille and encourages blind schoolchildren, employed adults and retirees to use public libraries independently. It enhances career training and independent research among the blind. It provides access to information for the learning-disabled. It enables adults in literacy programs to keep up with printed information.

I suggest that Ontario look very closely at the possibility of introducing reading machines in

public libraries and college and university libraries for the service of the visually impaired.

TARIFFS ON SOFTWOOD LUMBER

Mr. Pierce: I want to address the House again today concerning the mismanagement of the softwood lumber tariff by the Liberal government. The Premier and his government failed to take action months ago before the tariff issue blew up and left northern Ontario in the fallout. It was not until the Progressive Conservative Party began raising the issue in the Legislature and called an emergency debate that the Liberal government started to notice there was a problem.

This government should have been in Washington months ago pointing out the differences in Ontario's lumber industry compared to the major provincial lumber producers. Ontario's uniqueness should have been made known. The responsibility for making the Americans aware of Ontario's uniqueness does not fall on the shoulders of the federal government. The responsibility of providing the Americans with information on Ontario's lumber industry is totally the responsibility of the provincial government.

It has become more and more apparent that this part-time Minister of Northern Development and Mines (Mr. Peterson) is not addressing the needs of the northern industries and, in particular, those that relate to the softwood lumber industry.

The Premier's words in Vancouver this past weekend will not bring back the 900 jobs already lost in northern Ontario, nor will they save the jobs that were lost and will be lost in the future. The first ministers were not prepared to accept Ontario's proposal to go the full legal route in protecting our lumber industry. What is the Premier now going to do to protect the lumber industry in Ontario?

SOCIAL ASSISTANCE

Mr. R. F. Johnston: I rise to inform the House today that the social assistance review committee that has been going around the province is this week holding its important meetings here in Toronto. It will be receiving here, as it has elsewhere, poignant testimony from recipients of our social assistance system and a lot of solid analysis of what is wrong, reconfirming the alarming poverty in which many people live, the glaring inequities between classes of recipients, the social stigmatization that our present system has placed on them and the future of hopelessness for those children of the poor that we have left them, as well as an

appeal system which is totally inadequate for the purposes.

We held workshops in my riding on October 18, and a number of participants will be making presentations to the commission at the end of this week. I hope other members will assist the poor in their areas to get their views before the committee as well.

Although Mr. Thomson has been called visionary in a recent article, I am a little concerned that many members of the committee are now talking about having to be very practical and consider the realities that a government's expectations may place on them. I hope this government will follow our lead and say it is a time for vision, a time for a total overhaul of the system, and that soon the Minister of Community and Social Services (Mr. Sweeney) will make some announcements in this House to change some of the inequities in this system, giving a sign to Mr. Thomson's committee that all is possible in Ontario for change. They do not have to be restrictive at all.

GRANTS TO WELLINGTON SOUTH

Mr. Ferraro: I rise to thank two ministers on behalf of my constituency, specifically the Minister of Citizenship and Culture (Ms. Munro) for recently announcing \$96,000 for a library in the township of Puslinch and the Minister of Tourism and Recreation (Mr. Eakins) for the Wintario grant of \$100,000 that will assist in the building of a community gymnastic facility.

I was inundated by comments from my constituents. In many cases, we have not had anything like these two announcements in Wellington South in well over 30 years, possibly 42 years. Therefore, I am grateful to both ministers.

ORGAN DONATIONS

Mr. Andrewes: Melissa Mendoza died at the age of 17 months suffering from biliary atresia, a condition that causes bile to build up in the blood, a condition that could have been treated if a satisfactory human liver could have been located for transplantation.

Melissa had been on a waiting list for more than four months. Her doctor suggested that too often physicians fail to ask for organ donations or are too busy in the hustle and bustle of providing excellent treatment to pose these questions. However, grieving relatives are often unaware that organ donations are needed and that the tragedy of the moment might be lessened in some positive way.

As community leaders, we should seize on the example that Melissa's death has provided to develop through our education system and other forums a social conscience in support of organ donations. As there is dignity and purpose in life, so too is there in death, where life can be offered to another human, thus creating an opportunity for that person to complete his own commitment.

Mr. Grossman: Mr. Speaker, perhaps with your indulgence and that of the government House leader, I might ask that we be given an opportunity to comment upon the passing of the former Attorney General, Arthur Wishart. Would this be an appropriate time?

Mr. Speaker: It certainly would be the appropriate time.

DEATH OF FORMER MEMBER

Mr. Grossman: The province learned with some sadness this morning of the passing of someone who was, I believe, among the too few people who really leave behind a large reputation and a mark on this assembly, in this case the Honourable Arthur Wishart, former Attorney General, former Minister of Financial and Commercial Affairs and former government House leader.

Mr. Wishart was suddenly and unexpectedly taken from the back benches and put on the front benches, as the government House leader will remember, and was suddenly appointed Attorney General when many people were expecting someone else to get that appointment. He surprised most members of the assembly, and the public perhaps, with some major achievements and by bringing an important degree of humility, common sense and real decency to the job.

He was one of those people who have enormous numbers of friends throughout the assembly from all three parties. He could note among his achievements the passing of the first Legal Aid Act, The Law Enforcement Compensation Act. He served later as chairman of the Criminal Injuries Compensation Board and was the first chairman of the Commission on Election Contributions and Expenses.

After leaving political life, he served as a trustee of Algoma University College and remained throughout all that time someone who was looked to by many members of the House as a great symbol of a bit of the transition that this Legislature went through from the early 1960s into the 1970s, as he retained very strong roots in his community and a very appropriate view on life in Ontario, while also proving to be quite a

progressive and reform-minded Attorney General.

In closing, I thought it would be interesting to reflect back on the fact that, among the responsibilities that fell to him, he found occasion to release Morton Shulman from the post of chief Metro coroner. At that time, Dr. Shulman said, "If you want to dislike Arthur Wishart, you have to keep away from him." That says a great deal about the former Attorney General.

On this day, I would ask all members of the House to join with us in expressing our condolences to Mr. Wishart's family and to all of the people of Sault Ste. Marie, who had a very special attachment to someone they considered far more than their member and their MPP; someone they considered a genuine friend and a real believer in what their own community was all about; someone who served above and beyond their own community in a very special way; in my view, in many ways unmatched in terms of his breadth of understanding, decency, common sense, sense of humour and likeability, an unusual and unique combination of assets that served the people of Sault Ste. Marie and Ontario and the people of this Legislature extremely well.

We extend our condolences to his family.

Hon. Mr. Scott: It falls to me on behalf of the government to signify that our party joins with the Leader of the Opposition in the remarks he has made today about the death of Arthur Wishart. He was a member of this House for almost 10 years, where he served with distinction, representing his friends and neighbours in Sault Ste. Marie.

Beyond that, he was a minister of the crown and a particularly distinguished Attorney General of the province. Taking office at a time of some difficulty, he ensured the office maintained the lustre it had had before him. He left it a more important place than it was when he entered it. Even today, there are senior members of the staff of the Ministry of the Attorney General who are shocked and saddened by the knowledge of his death, but who are warmed by the recollection of his presence and the very real contribution he made to the administration of justice in the province.

As the Leader of the Opposition has said, to those who knew him Arthur Wishart was above all a decent and thoroughly honourable man. He could be an active and aggressive politician in the best tradition of this assembly, but at base, his honour, his integrity and his respect for his

colleagues inside and outside the House were profound and important to him.

If I may add a personal note, when I was called to the bar in 1959 I went to practise law with Andrew Brewin, QC, a distinguished member of the New Democratic Party. One of my first assignments was to take cases that Arthur Wishart sent down from Sault Ste. Marie. I never quite figured out why he sent them to Andrew Brewin, but I think he did because he saw in Andrew Brewin those qualities he sought for himself, qualities of honour and decency, and which he so markedly achieved.

He was a taskmaster of very modest proportions. All the mistakes I made in the first few years of practice, which perhaps his office or clients were required to pay for, were always noted but very quickly forgiven. For my own part and my party, we regret the death of a distinguished and honourable Ontario citizen, but are cheered and strengthened by the example of his life.

Mr. Martel: I want to join with my colleagues who have already spoken. I guess I am the last in this caucus to have served directly with Arthur Wishart. He was a man before his time. I realized a few years ago that Arthur was one of a rare breed of cabinet ministers who would accept an amendment even in a majority government. I think it floored most of his colleagues in his own cabinet that he would accept an amendment from an opposition member of this Legislature. Those of us who witnessed that got beyond knowing Wishart as an individual sitting across the way but as a human being.

We had an opportunity to speak with him on many occasions. He enjoyed what he was doing. One could go over to see him in his office. He always had a sense of humour. He was always willing to help. He never lost his love of the north. I remember Arthur Wishart chairing the committee that helped us save our suds in the north. Arthur was the individual who studied that and made recommendations which the government adhered to; otherwise, our suds industry in the north would have been wiped out.

He had a uniqueness about him of being able to get quickly to a problem with a very sensible and sensitive recommendation. I do not think I can ever recall Arthur Wishart trying to belittle or put anyone down. He did it in a political way. That is fair game in here, but he never resorted to anything of a personal nature. That is why so many of us were so fond of him.

My colleague the member for Algoma (Mr. Wildman) tells me Mr. Wishart had suffered an

accident a couple of years ago and had never recovered from the seriousness of that accident. I want to say that those of us who were indeed fortunate enough to know him will miss him. On behalf of our party, I would like to extend condolences to the Wishart family.

13:50

Mr. Morin-Strom: I would appreciate saying a few remarks as well on behalf of the citizens of Sault Ste. Marie.

It is a sad day for our community, but it is a day on which we can remember the many years of dedicated service that Mr. Wishart provided to this province and to the city of Sault Ste. Marie. We are much richer for those memories and for the actions he took on behalf of our community, as a member of the government of Ontario and as a member of the cabinet in the 1960s and into the early 1970s. His years of dedicated service as a lawyer in the community preceding that were of great significance to Sault Ste. Marie.

Although he was not a Sault native, he spent the vast majority of his years in the Sault. He was born in New Brunswick but came to the Sault relatively early in his legal career. After having been the mayor of Blind River for a short period during the Depression and after about 25 years of legal service, he was elected as the representative for Sault Ste. Marie and served a term of nearly 10 years. Particularly noteworthy is the work he did on behalf of Algoma University College in Sault Ste. Marie. It was pleasing that he was remembered very recently with a tribute to him in the renaming of the library of that college as the Arthur Wishart Library.

One story that comes to mind regarding Mr. Wishart goes back to his years as the mayor of Blind River during the Depression. He was asked about a contract for highway construction in the community of Blind River. He was concerned because they were going to use machines for the building of the road instead of using more intensive manpower. The contractor from southern Ontario said: "What do you expect? Do you think we should use shovels instead of machines?" Mr. Wishart's reply was: "No. I would hope you would use spoons."

Mr. Wishart provided a tremendous service to our community. On behalf of the residents of Sault Ste. Marie, I want to express our appreciation for those years of service. We very much appreciate the fine comments made on his behalf today in the Legislature.

Mr. Speaker: I will make certain a copy of today's Hansard is received by the Wishart

family so they are fully aware of the words of sympathy spoken here today.

MEMBER'S COMMENTS

Hon. Mr. Nixon: On a point of order, Mr. Speaker: You will recall that on Thursday afternoon you had reason to dismiss the member for Ottawa Centre (Ms. Gigantes) from the House for calling another member a liar. The honourable member who was the recipient of the insult was not present at the time. I want to point out that the member for Ottawa Centre has taken her seat without making any attempt to withdraw the comment.

We have had this discussion before. It is quite easy for people to say it is a matter of little or no importance and the fact she was suspended from the House for the rest of that sitting was sufficient. However, I bring to your attention, sir, that the fact there has been no withdrawal means she is continuing to do the business of the House as a member in the presence of another member whom she said is a liar.

It is strange; that is a particularly unacceptable insult in this House. In my view, it is impossible for a member who has been designated as a liar by another member to continue in any sensible and reasonable way to go forward with the business.

I am not speaking for either of the members, obviously. I am simply speaking as a member of this House, and I say to you again, sir, and to all members that there is good reason for the requirement that this epithet not be used; that is, it is impossible to continue the business of the House following its use with the expectation that the statement is going to be acceptable and that it is going to form a part of the record of this Legislature.

There is not much I can do about it singlehandedly, other than to continue to raise it when it happens. That the honourable member was dismissed from the House for a few hours following her use of the epithet has little or nothing to do with the case. My own view is that an honourable member, on reviewing the whole situation, should simply come into the House and withdraw the statement; then we could go on with the business. If it is not withdrawn, the implication is that the person believes another member to be a liar, and that is unacceptable in this chamber.

Mr. McClellan: The member for Brant-Oxford-Norfolk (Mr. Nixon) is well known for the views he holds on this matter, and he has raised the point he raises this afternoon a number

of times in the past, certainly since I was elected to this House. Regardless of the general interest with which we all hold his views, they have little to do with the standing orders or the practices and traditions of this House.

I understand the member was found to be in violation of standing order 19(10). The provisions of the standing orders as set out in standing order 21(b) are very clear:

"When a member is named by the Speaker, if the offence is a minor one, the Speaker may order the member to withdraw for the balance of the day's sittings; but if the matter appears to the Speaker to be of a more serious nature, he shall put the question on motion being made, no amendment, adjournment or debate being allowed, 'that such member be suspended from the service of the House,' such suspension being for any time stated in the motion not exceeding two weeks."

Obviously, Mr. Speaker, you ruled at our last sitting that the offence was a minor one and that the member was suspended for the balance of the day's sitting. That is exactly what happened. In the past, when the member for Brant-Oxford-Norfolk has raised this point, he has not been upheld; he should not be upheld this afternoon.

Mr. Speaker: I have listened very carefully to the two members who have spoken. As in the past, this matter has been brought to the attention of the House very firmly. I believe it has previously gone to the standing committee on procedural affairs. To my knowledge, there has been no recommendation for any particular change in the standing orders. If it is the wish of the House that this matter be reviewed by the standing committee on the legislative assembly, that certainly is in order. However, according to the present standing orders, I have no choice other than to name a member for the balance of the sitting on that particular day.

13:58

STATEMENTS BY THE MINISTRY AND RESPONSES

PAY EQUITY LEGISLATION

Hon. Mr. Scott: It is an honour for me to introduce in the assembly today pay equity legislation for the private and broader public sectors.

As every honourable member will recognize, one of the most significant social developments of our time, almost a revolution, has been the changing role of women and in particular their contribution in the work place.

In just 20 years, the full-time work force in Ontario has almost doubled, to 44 per cent of the total work force. Within a decade, more than half the full-time work force in Ontario will be women. These women are not now and perhaps never were secondary wage earners. In fact, almost half of them are the sole support of themselves and their families. Almost 90 per cent of single-parent families in Ontario are headed by women who need and want to work.

However, in spite of their rapidly increasing numbers over the past two decades, women are still clustered in a small number of occupations. In spite of their achievements, they still take home only 64 cents for every dollar earned by men. When you think about women's achievements, when you see their sheer numbers in the work force, you would expect to see corresponding progress in the way in which they have been compensated. Sadly, this has not been the case.

14:00

Whether it is because of so-called market forces or whether it is because of conscious or unconscious discrimination, the fact remains that the kind of work women do has been undervalued compared with jobs traditionally performed by men. We know that time alone cannot remedy, because it has not remedied that situation, and that good intentions are not enough. For example, in 17 years the wage gap has decreased by only four per cent.

This government recognizes that the solution to the problem cannot be simplistic. A number of different responses are required. Education will play a part, as will training and employment equity and child care, but pay equity is and will remain a very important, indeed a central part, of the solution. It alone can address the issue of gender-based pay discrimination in the private and broader public sectors and the impact of this discrimination on pay practices.

Since we tabled the green paper on pay equity in this House last November, we have consulted with many groups and individuals. We have talked to women, to labour and to business. We held a series of public consultations. We formed two advisory groups, one labour and one business. Through these discussions, we gained a deal of insight about how pay equity legislation could be implemented and what its effects would be. Those consultations will continue as the bill moves through the legislative process.

What we learned from our consultations reaffirmed our belief that so-called women's work was being undervalued. While various presenters may have argued about the way in

which the wage gap should be corrected, there was nevertheless a consensus that it should be corrected.

In addition, we learned that the public and the interest groups shared a view that the legislation should be implemented in a fiscally responsible, fair and judicious manner, responding both to the needs of the women who have been subsidizing our economy for too long and to the needs of modern business to be competitive at home and abroad.

In this regard, we have developed a self-managed implementation approach that will make sure the bill is enforced effectively while minimizing the bureaucracy.

I would like to take the members to the highlights of the legislation.

First, the bill will cover all employees in the broader public sector, which includes municipalities, school boards, universities and hospitals. It also covers all employers in private sector firms with 10 or more workers. It will apply to both full-time and permanent part-time staff.

Second, job comparisons: Jobs being performed primarily by women will be compared to jobs held primarily by men. To be eligible for comparison, a job category in general must be 60 per cent female-dominated or 70 per cent male-dominated. Comparisons will be made in an employer's own establishment; in other words, comparisons will not be made between wages paid by one employer and those paid by another.

Third, method of implementation: The legislation places the onus on both employers and employees to ensure that pay equity is achieved. Employers, and bargaining agents if applicable, will first be required to review workers' salaries and identify any pay inequities for female-dominated job categories. Pay equity wage adjustments must then be made to compensate those underpaid employees.

The development of a pay equity plan prior to wage adjustment is mandatory for all employers in the broader public sector and for employers with more than 100 employees in the private sector. These plans must be posted in the work place. A plan is not mandatory, but optional, for private sector firms with 10 to 99 employees. Nevertheless, these employers will be expected to make wage adjustments too if pay inequities exist.

Fourth, the timetable: Since the mandate we believe the public has given us is to balance women's economic needs with the realities of the business environment, this legislation will be

implemented in a staged process based on the size of the organization. It will be implemented first in the broader public sector. Second, in the private sector it will be phased in in deliberate steps in order that we may learn from our experience as the legislation is implemented.

It is interesting to note that when wage adjustments are started in the broader public sector and among those private employers with more than 500 employees, in three years from proclamation 60 per cent of the female work force will be covered.

Fifth, the Pay Equity Commission: A Pay Equity Commission will be established to administer and monitor the implementation of the legislation. It will provide specialized educational materials and consultative services to those affected by it. For example, it will give guidance to small business people who may be unfamiliar with even the simplest job comparison techniques. It will also conduct an educational campaign to inform employers and employees of the rights and responsibilities under the legislation.

If there are complaints from employees, review officers from the commission will investigate them. Complaints that cannot be resolved at this level will be referred to the commissioners for a hearing. The commission may order compliance and impose fines.

Sixth, pay equity adjustments: Employers will not be required to adjust wages annually above one per cent of the previous year's total payroll, but these adjustments to wages of male and female workers in female-dominated job categories will continue to be made until the goals of the pay equity plan have been met. No employee's wages can be reduced to achieve pay equity.

One of the important requirements of this legislation is to ensure that the lowest-paid women receive compensation adjustments as quickly as possible. Section 12 of the bill addresses this problem by creating fast-track payouts for such job classes.

Seventh, allowable wage differences: Certain differences in pay for jobs of comparable value will be allowed, but employers must be prepared to justify them and to prove they are not a function of gender bias. Allowable differences would be those resulting from seniority, temporary training assignments, merit pay, red-circling and skills shortages.

Eighth, job value: Employers will rely on the job comparison method of their choice to compare their employees' jobs. Methods must be free of gender discrimination, however, and the

criteria for job comparisons must include, at least, skill, effort, responsibility and working conditions.

Finally, unionized work places: In unionized work places where a pay equity plan is mandatory, the plan will be negotiated by the employer and the union as part of the collective bargaining process. If agreement cannot be reached, the Pay Equity Commission is available to resolve the issue. Within the parameters defined in the legislation, there will be issues that employers and their unions will negotiate. These may include methods of comparing jobs, whether a job is male-dominated or female-dominated and the rates at which wage adjustments can be paid out.

We realize some Ontario workers may find themselves without a comparison group because they are in a work place that is totally female. Let us take child care workers as an example. Child care workers in municipalities will have male comparison groups, but those in small nonprofit child care centres may be working in an all-female establishment. The bill, which was drafted as gender-based antidiscrimination legislation, will not assist the latter group, whose work has been undervalued and underpaid for too long.

This is a serious problem which must be addressed, and I am therefore proposing that this issue be examined on an urgent basis as soon as the Pay Equity Commission is established. I will require that the Pay Equity Commission act quickly so that any undervalued workers without job comparison groups can receive wage adjustments on the same timetable as other workers in establishments of the same size.

In conclusion, this is truly an important day for the women and men of Ontario. We believe fundamentally that the work women do in offices, stores, hospitals and schools across our province is valuable, not only to those businesses but also to society as a whole. We believe the time has come to assure that gender discrimination, conscious or unconscious, has no place in our society or in our work places.

14:10

The pay equity plan for which I seek the honourable members' approval is a serious commitment to reform. It specifies clearly the exact change to be achieved, namely, the removal of gender discrimination in pay practices in our province. We believe the bill is clear in intention, flexible, nonarbitrary in execution and effective in result.

There will be objections, but I believe there is none that cannot be answered by logic or accumulating experience. In assessing those objections, we will have to distinguish between appealing rhetoric and solid progress based on careful planning. The purpose of this plan is not to do the impossible but to ensure the possible.

I am honoured to have the opportunity to introduce this legislation today. I do so in the firm belief that it is another major step on the road to economic equality for women, a goal that will benefit us all.

Mr. Gillies: With regard to the statement made by the minister responsible for women's issues on his announced legislation, we would like to point out a couple of things. While time does not allow for a detailed critique of the legislation now, a number of questions remain to be answered and we see a number of flaws and inadequacies in the bill.

The first question is in regard to the time, the 25 hours plus spent by the justice committee, which was 100 per cent of the justice committee's time in the past month, on amending and improving Bill 105. The government has to decide what it intends to do with Bill 105. At least in the estimation of our party, that bill, as amended in terms of the broad public sector, does a better, more comprehensive and more effective job of bringing pay equity to the broad public sector than does the bill he has introduced today.

If the government decides not to proceed with Bill 105, we will, of course, be disappointed. We will be especially disappointed, to be charitable, about some of the procedural tactics exercised by that party during those hours of debate. However, if it chooses not to proceed with that legislation, we hope it will at least proceed in very short order to proclaim pay equity in the narrow public service for its own employees by regulation, which we believe it can do.

The legislation brought forward by the minister today is flawed in a number of respects. He himself has touched on one of the larger problems, that this bill will do nothing for women employed in private sector work places that are almost entirely female, the 65 per cent of female employees in the private sector who work as child care workers, as librarians, in nursing homes, in rape crisis centres and in transition homes, and in all those other types of work places where there will be no opportunity to compare their wages against any comparable group of males.

That is a problem not for later resolution by the commissioner but resolution now by effective legislation.

The gender predominance feature of this bill, the 60 per cent and 70 per cent features that we struck out of Bill 105, remain in this legislation. We believe it is a flawed concept that allows for employers who so wish to manipulate their work forces to avoid the legislation. We say the 60 per cent and 70 per cent should go. That will be a particular problem in small work place establishments.

We believe the phase-in period is inadequate. The amount of time the government is proposing to take is another problem. Under Bill 105, as amended by the opposition parties, we believe equal pay for work of equal value would have been achieved in five years. One can make one per cent increments for many years under this legislation and still not achieve equal pay for work of equal value. The bill is flawed and is in need of very considerable amendment.

Mr. Rae: In regard to the statement made about pay equity, I want to say to the government and to the minister we look forward to the introduction of this bill for second reading, we look forward to its going to committee and we look forward more than anything else to a different attitude from this government on the rights of the majority of this Legislature to amend legislation it is bringing down. The attitude that says, "It is our way or the doorway," has to change. This government has to understand that this legislation is not perfect—no legislation is—but it sets out a framework that we believe has to have some changes made to it.

I want to discuss those changes with you, Mr. Speaker, and I want to say to the Attorney General, now that he is sitting down again, the government's attitude that it is not prepared to discuss changes of any significance is an attitude that has to change. The Attorney General is shaking his head. That is precisely the attitude he took with Bill 105 and precisely the attitude that has been taken—

Hon. Mr. Scott: I never said any such thing.

Mr. Rae: The Attorney General can dish it out but he cannot take it. He can just sit down and wait his turn. He will get a chance to reply. He has had his press conference and his chance to speak to the press. He should now give us an opportunity to respond, which is what we are doing.

There is a question here. Half the women in the province will not be covered by 1990. By that year, 50 per cent of the women in this province will still not have equal pay, and there are literally tens of thousands of women who will never be protected by equal pay legislation,

because the Liberal Party is determined to exclude them.

Those are two issues this House has a right and an obligation to deal with and to face up to. If this Legislature decides to make changes, the government can no longer say, "Then you are not going to get any bill at all." We are determined that this Legislature is going to produce equal pay legislation that will put money into women's pockets now, not in 1990, not in 1995, but today. We can afford to do it.

Ms. Gigantes: I have a few more words on the subject of the proposed legislation affecting equal pay for women in Ontario. I want to raise the additional point, which has become a very touchy point in this Legislature, about who is to pay for equal pay in Ontario.

The fact is that the proposal before us would call upon the working men and working women of this province to pay for equal pay adjustments for the women of this province, and there is nothing in the legislation that would ensure that equal pay adjustments being given to the women of this province would not be coming out of their own general annual wage increases. That is something we have to look to in this legislation.

ASSISTANCE TO FARMERS

Hon. Mr. Riddell: I am delighted that two previous members of the Legislature, Bill Hodgson and Michael Cassidy, whom I spotted in the gallery a few minutes ago, have come to hear the glad tidings this government continues to bring to the agriculture and food sector of this province.

As you know, Mr. Speaker, the needs of the agricultural community are constantly changing; so our programs must change as well.

One of our first acts as a government was to institute our short-term family farm interest rate reduction program, commonly known as OFFIRR. It has meant \$45.6 million to 9,500 farm families across the province.

Earlier this year, we introduced a follow-up program. Our new offer is one of more assistance to more people for a longer period. In total, we committed nearly \$150 million to reduce family farm interest rates over the next three years. Today I am pleased to announce some further enhancements for the Ontario family farm interest rate reduction program, a package of improvements we are calling OFFIRR Plus.

There are some very important pluses in this package. We recognize that the combination of poor commodity prices and record-breaking adverse weather conditions dealt a crippling

blow to many producers in the province. Even established producers need some support to bridge this unusually difficult period. Therefore, we have broadened the eligibility for OFFIRR to deal with the economic hardship Ontario farmers are facing right now. We are also including a one-year provision for those affected by the adverse weather we experienced this year.

Taken together with the amendments I announced earlier this year, OFFIRR Plus is expected to pay out an additional \$96 million, to bring the total to \$246 million over the next three years. OFFIRR Plus raises the limit on the amount of farm debt eligible for interest rate reduction by \$100,000, from \$260,000 to \$360,000. We are also opening up the program to more farmers. We are increasing the net worth level at which benefits begin to reduce from \$500,000 to \$750,000. We expect 18,000 farmers to apply for OFFIRR Plus.

There is another plus to OFFIRR Plus for those taking part in Ontario's beginning farmer assistance program. The requirements have been changed to provide increased benefits to beginning farmers. The maximum eligible debt under OFFIRR will no longer be reduced by one dollar for every dollar that is covered under the beginning farmer assistance program.

Most farmers in Ontario are being hurt by low prices, but for some, 1986 dealt them a double blow. Earlier this summer, I toured areas throughout the province that had been devastated by rain and hail. I promised I would study all possible ways I might help the farm people beaten up by Mother Nature.

Therefore, we are including a one-year provision for those affected by the adverse weather we experienced this year. For eligible producers who suffered a crop loss in excess of 30 per cent, OFFIRR Plus provides adverse weather assistance. This can reduce interest by an additional eight percentage points on debts equal to the value of crop losses over 30 per cent to a maximum of \$250,000. In most cases, this would mean interest costs cut back to zero.

This adverse weather provision means an eligible producer can receive \$20,000 in benefits in addition to the OFFIRR rebate if more than 30 per cent of the crop has been lost. We expect to help out 3,000 to 4,000 producers with about \$10 million in compensation for bad weather. The weather provision benefits do not affect crop insurance coverage, and participation in crop insurance programs is not a factor in deciding who is eligible or in establishing the amount of assistance.

Mr. Stevenson: In response to the statement by the Minister of Agriculture and Food on OFFIRR Plus, it is conceivable that this program may be a plus, but it is very clear that the minister's understanding of the financial needs of farmers in Ontario is a minus. As a result, basically what we have ended up with here is a big zero.

The government does not yet seem to understand that between its first and second budgets a whole new ball game in North American agricultural funding started. They have responded to that with the lowest increase in agricultural funding in any of the past three budgets. At the same time as Saskatchewan increased its budget by 100 per cent in one year and Alberta by 75 per cent in this current year, here in Ontario we have a 13 per cent increase at a time when, as I say, funding to agriculture has entered a whole new era.

We are still tinkering with existing programs at a time when Canada and Ontario need a bold new approach to handling the agricultural issue in this country. Even more imperative is the fact that the Americans get half of the money they get up front, while most of our farmers applying for this program will not have the money in their pockets before the next crop goes into the ground.

Mr. Hayes: I would like to make a comment dealing with the OFFIRR Plus program. As my colleague along here somewhere said, this is an offer that some cannot refuse.

It is a step in the right direction to meet the immediate and short-term needs of farmers today, but the one thing that still bothers me is that today's announcement does not take care of those people who are working at off-farm jobs. These people have been excluded in the past from taking advantage of the OFFIRR program to meet some of their needs and to reduce their capital costs. I am hoping the minister will take that into consideration. When these people who have to work at off-farm jobs have applied for the OFFIRR program, they have been considered not to be full-time farmers. That is hardly fair, when one sees the sacrifices they make to go to these other jobs to help finance the farm operation.

I hope the Minister of Agriculture and Food will take another look at that part of this program.

14:26

ORAL QUESTIONS

PLANT SHUTDOWNS

Mr. Grossman: I have a question for the Minister of Industry, Trade and Technology.

Can he tell us the profit margin of the Goodyear plant in Etobicoke?

Hon. Mr. O'Neil: We have reviewed those figures briefly but are waiting for further details. We did meet this morning with the president and chief executive officer of Goodyear Canada and we will be meeting tomorrow with some of Goodyear's top officials, who will be coming in from Akron, Ohio.

Mr. Grossman: When the minister met with the president this morning, I am sure the president indicated the Goodyear plant was profitable or that it was not profitable. Can the minister share with the House what he was told about the profitability of the operation?

Hon. Mr. O'Neil: The president of the Canadian corporation mentioned Goodyear had been part of a takeover bid by a foreign concern and that because of the high equity debt it would have, it would have to look again at some of its operations throughout the world. Again, we will be looking for clarification on that tomorrow from the people from the United States.

Mr. Grossman: There are 1,500 workers who believe what they are told when they hear the operation has been a profitable one. The minister is facing 1,500 job losses in the west end of this municipality. Can he tell us today, three days after the announcement, whether that operation is a profitable one or whether it is not? That is the simple question. By this afternoon he should know whether that is a profit-making enterprise. Is it or is it not?

Hon. Mr. O'Neil: If the member were to look at the figures, he would see that the operation appears to be a profitable one. We will be asking for further details and confirmation of those facts tomorrow when we meet with those officials.

Mr. Rae: That is the kind of lousy answer the member for St. Andrew-St. Patrick (Mr. Grossman) used to give.

Mr. Speaker: Order.

Mr. Grossman: My second question is also for the Minister of Industry, Trade and Technology. If it is a profitable operation, would the minister explain why members of his government have the slightest reservation in standing up today and saying right away that they will spend whatever moneys are necessary to keep a profitable operation in place in the west end of this municipality? In what circumstances would the minister do that?

Mr. Breaugh: This is a deeply religious moment.

Mr. Gillies: What do you think we did with Massey-Ferguson? We did it. Why can't they?

Mr. Martel: Another socialist conversion.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Order. Once again, I will just wait.

Hon. Mr. O'Neil: I am sorry. I did not hear the last part of that question.

14:30

Mr. Grossman: I want to restate the question for the minister. If this is a profitable operation, can the minister explain to us why, having spent \$45 million in loans and \$10 million in grants to Suzuki and \$35 million in loans and \$15 million in grants to Toyota, he would have any reservation whatsoever about giving a great deal of money to keep this profitable operation open?

Hon. Mr. O'Neil: First of all, we regret very much the decision of that company to close that plant or to talk about closing it. We are very concerned about the job losses that are going to happen there. In our discussions this morning with the president and the chief financial officers, we touched on the subject of some type of money help, either to keep that plant going or for a new plant location. Those discussions will go on tomorrow.

Mr. Grossman: What the 1,500 workers want to know is something very simple. The minister has spent \$55 million for Suzuki and he has laid out \$50 million for Toyota. The 1,500 laid-off workers simply want to know whether he is prepared to give a commitment to spend money to keep open a profitable plant. The answer is simple. Either the minister is prepared to do it or he is not. Which is it?

Hon. Mr. O'Neil: We are prepared to look at all alternatives.

Mr. Grossman: I wonder whether the minister is prepared to share with the House this afternoon the reasons his leader stated on April 11, 1985, in a visit to the Burns Meats Ltd. plant, which had also been closed, that, as I am sure the minister will recall, a government formed by him would: (1) require mandatory corporate consultation; (2) amend the Employment Standards Act to provide mandatory severance pay for all employees who were employed more than one year; (3) remove the 26 weeks' severance pay ceiling; and (4) provide interim funding until private financing or worker equity can be raised to save profitable operations.

Can the minister explain why, 18 months after that visit to this closed plant, his government has refused to move on any one of those four things, all four of which would have helped the 1,500 laid-off workers at Goodyear?

Hon. Mr. O'Neil: The Leader of the Opposition seems to think he is the only one who has concern about any workers laid off in this province. Our Premier (Mr. Peterson) and this government are also very worried about any layoffs, and we intend to do what we can to keep them working.

Mr. Rae: I have a question to the Minister of Industry, Trade and Technology. The reality is that the casino economy of which his party and the other party to my right are such able apologists has victimized 1,500 workers at the same time as \$93 million in profit is going to Sir James Goldsmith, who simply purchased shares and then had them bought out. If that is not an example of an economy that has lost its sense of moral integrity, I do not know what is.

Why has the government not introduced any kind of legislation with respect to plant closure in terms of justification, information, some kind of leverage over these companies that trade in chips—blue chips and other chips—and people's lives? When is the minister going to introduce legislation which will finally mean that when he meets with the president of a corporation he will not be cap in hand but able to do something about it?

Hon. Mr. O'Neil: I do not believe we went cap in hand to them at all. I was very upset, as were the other members of this government, when we found out through the news releases on Friday afternoon that they planned to have this closure. We called the president and told him we wanted to speak to him this morning. We have also told the people from the United States that we wanted to talk to them not later this week or next week, but tomorrow.

I also do not appreciate people being laid off because of corporate takeovers. We will examine this matter very closely and deal with it as we see it.

Mr. Rae: Let us see what the minister is prepared to do about this casino economy. This is a casino economy in which \$2.6 billion has been expended in an utterly worthless economic activity, trying to take over a company and then fighting the takeover. The victims, the people who are paying the price for that worthless economy, for which those people over there have been such effective apologists for so many years, are the workers.

My question again, specifically to the minister, is why does he not have any kind of legislation with respect to plant closures requiring justification, requiring any kind of protection for the workers, so that when he talks to these companies he is not simply down on his knees but is able to do something for the workers other than simply going there and asking, "What is going on?" He does not know what is going on because he does not have the legislation. Why does he not have the legislation?

Hon. Mr. O'Neil: These are some of the matters that do concern us. As the member knows, the company has given six months' notification, but when it comes to severance and justification, those matters have not been clarified, or the reasons have not been given to us. Those are some of the questions we will be asking their officials tomorrow.

Mr. Rae: They do not even have to answer. They do not even have to tell you the time of day if they do not want to.

Mr. Speaker: Order.

Mrs. Grier: I do not think it is good enough for the minister merely to tell us the questions he is going to ask. What this House and the people of Lakeshore would like to hear from the minister is a commitment that he will demand from that company a public justification of the actions it has taken and that he will also be prepared to implement some kinds of adjustments that will cushion the wider community, as well as the workers, from the effects of this closure. I would like the minister to tell us now and give us a commitment that this is what he is going to do.

Hon. Mr. O'Neil: I will certainly make known to our officials and to the company officials the comments that members have made today and the questions they have raised.

Mr. Rae: Boy, if anybody has declared moral bankruptcy in this province today, it is the Minister of Industry, Trade and Technology. Utter powerlessness in the face of corporate greed; that is what we are looking at.

PAY EQUITY LEGISLATION

Mr. Rae: I have a question of the Attorney General, the minister responsible for women's issues, about the legislation he introduced today. Can he confirm that, as a result of the legislation the government has introduced, half the women of Ontario will not be covered by pay equity legislation by the year 1990?

Hon. Mr. Scott: I do not think that is correct. What we can say is that more than 60 per cent of

the women in the work force will be covered within three years after proclamation; that is, wage adjustments will begin for them within that period.

Mr. Rae: If the minister wants a chance to change his answer, I will give him a chance, but I can tell him his answer is incorrect. His arithmetic is wrong, to put it politely, and he is leaving far more women out in the cold for a longer period of time than he has been prepared to admit in the House today.

My second supplementary to the Attorney General has to do with the fact that there is a requirement that employers set aside one per cent of payroll for equal pay when it is eventually introduced, into the 1990s. Is there anything in this legislation that would prevent an employer from systematically reducing other pay increases to meet that one per cent of payroll?

14:40

Hon. Mr. Scott: First, on the figures, and I will check to correct them, my understanding is that 60 per cent of those who are covered by the pay equity legislation—

Mr. Rae: That is not what you said.

Hon. Mr. Scott: It is precisely the same; but all right, 60 per cent of the female work force will commence adjustments by the third year of the plan. If that is incorrect, I will undertake to let the member know.

The answer to his second question is no.

Ms. Gigantes: Can we ask the Attorney General to take a look at his own green paper again to refresh his memory about how many women are going to be covered and when under this legislation? My reading of the green paper indicates that those women working in the labour force who will be covered after six years of this planning process represent 49 per cent of the women in the private sector only. What the Attorney General is offering us is a piece of legislation for women in the private sector, half of whom will not see anything for six years.

Hon. Mr. Scott: Of the working women in this province, eighty five per cent are going to be covered by this bill. It is true the bill is a staged approach to the problem in the sense that wage adjustments are paid out starting at different dates and over a time. There is no other responsible approach to the problem.

In two areas where the New Democratic Party had governments, British Columbia and Manitoba, legislation for pay equity in the private sector was never introduced. When the honourable member, as she does today, says outside the

House that I and this government are spineless, she will want to remember that when the NDP formed governments, did it introduce pay equity in the private sector? No, because they were gutless, and they had majorities.

Mr. Grossman: The Attorney General should have stuck to his first strategy of trying to get the member for Ottawa Centre excluded from the House so he would not have to face her questions today, rather than lose his temper, as he so often does.

HIGH-TECHNOLOGY FUND

Mr. Grossman: I have a question for the Minister of Industry, Trade and Technology. The minister will know his leader has been talking a great deal on his concern about the auto pact being renegotiated at the same time as the Goodyear plant and others are shedding employment in the auto sector, thus effectively undermining that most important sector, notwithstanding the rhetoric.

The minister will also know there has been a large announcement from his own government about what was billed as a \$1-billion high-technology fund, chaired by the Premier (Mr. Peterson). As we are almost three quarters of the way through the fiscal year, with only four months left, can the minister tell us how many times the Premier's technology fund council has met and how much of the \$100 million set aside for this year has been distributed so far?

Hon. Mr. O'Neil: I believe the council has met on three occasions, although there have been many meetings of staff of some of the council members. At this point, only a small amount of money has flowed, basically because we want to be able to set the proper criteria before any funds do flow. We have received more than 250 applications from people who are looking for funding, but we want to make sure the criteria are properly set before the funds flow.

Mr. Grossman: The minister has inadvertently forgotten the one commitment made so far by the high-technology fund, which is \$17.5 million to the Premier's associate Abe Schwartz, for Exploracom, in the heart of downtown Toronto. I remind the minister that \$17.5 million is probably two or three times the value of the Goodyear plant, which is closing right under his nose in another part of this city.

Can the minister confirm the figures put out in answer to our question 397 in Orders and Notices, that out of a \$100-million high-technology fund, with jobs disappearing at an incredible rate in the auto sector in particular, he

has so far disbursed \$114,000, in this case all of it to the university research incentive fund, and that the administrative costs are almost as large, \$99,700?

Can the minister explain why, with jobs being shed all over the province, he is in a position after seven or eight months with the Premier's technology fund where he has spent \$200,000, half of it in administration and not one cent to keep a job in Ontario?

Hon. Mr. O'Neil: As I stated, I believe those are the correct figures and that is all that has flowed from this fund. But this government plans to be a little more careful on how it disburses money than the previous government did with Suncor and the IDEA Corp.

Mr. Gillies: What a careful government. Graham Software, Wyda and Exploracom—how careful can you get? You are careful with everybody but your buddies. They are who you should be careful with.

Mr. Speaker: The member for Windsor-Riverside (Mr. D. S. Cooke) would like to ask a question if he can get the House's attention. The member for Brantford (Mr. Gillies) might control himself, and the member for Windsor-Riverside will ask his question.

NURSING HOMES

Mr. D. S. Cooke: I have a question for the Minister of Health. I wonder whether the Minister of Health knows that 18 charges laid against the Beacon Hill nursing home in Windsor in 1984 were quashed last week by a justice of the peace, Ron Griffiths, who said, "The delay has been unreasonable and the only remedy available to the court is to quash both informations," because the Ministry of Health and the Ministry of the Attorney General had not dealt with this case in two years in the courts.

Hon. Mr. Elston: I am aware that the matter was quashed by the justice of the peace, but I can tell the honourable gentleman it was not for a lack of preparation or for not being ready. The question was delayed for some time because of the delay through the Supreme Court of decisions which the member knew were being taken on the Elm Tree matter. Those things caused considerable delay. We are in the process now of reviewing the opportunities to appeal that decision.

Mr. D. S. Cooke: The fact of the matter is that there were charges still left after the decision on Elm Tree. Some charges were withdrawn and some remained, yet still the ministry did not

proceed on this court case. Does the minister not think such charges as not reporting injury, lack of adequate staffing, failure to reassess residents or failure to provide restorative care, to mention a few of the charges, are serious enough? Does the minister not understand that the owners of the nursing homes in this province are laughing at him because of his lack of action on amendments to the Nursing Homes Act? When is he going to bring in amendments and take this matter seriously?

Hon. Mr. Elston: We have taken this matter very seriously indeed. We have conducted very wide-ranging consultations with respect to the amendments to the Nursing Homes Act.

The hearing itself was scheduled to take place very soon after the Elm Tree decision came down. We are looking to appeal the dismissal of those cases because, like the member, I believe those charges are very serious infractions and ought to be dealt with. We are looking at the opportunities we have to appeal that case.

The amendments to the Nursing Homes Act, which the member had a draft of several weeks ago, are coming through the system and will be in front of this House before Christmas.

ALCOHOL ON OPP BOAT

Mr. Harris: I have a question of the Solicitor General. Last week, information came to light that the Solicitor General had broken the law and as chief law officer of the crown had ordered members of the Ontario Provincial Police to break the law. This breach took place a few days before the minister made a major statement announcing a province-wide crackdown on drinking boaters.

On Wednesday and Thursday, the minister was away and his staff refused to acknowledge where he was and refused to give us any information on the many questions we have. I presume he was reflecting on tendering his resignation. Perhaps he was off boating for four or five days. Who knows? In the light of this and in the light of the four or five days he has had to reflect, I would like to know whether he has offered his resignation while this investigation is under way.

14:50

Hon. Mr. Keyes: I am very proud to stand here and repeat what I said to the media before. I did not offer my resignation, nor do I have any intention of tendering my resignation over this issue.

If the member wants to check on where I was on Wednesday and Thursday, business must go

on despite what some may raise to try to put one in a frame of mind that would not let one be productive. I do have another ministry, namely, the Ministry of Correctional Services, and I was working on some issues for that on Wednesday. On Thursday I was at St. Lawrence College speaking to the Ontario Gerontology Association, which has concerns about health care for seniors. In order to be there on time with the snowy weather we had, I was absent from this House.

Mr. Harris: Questions were raised in the Legislature on Wednesday and Thursday while the minister was away, and we have had no statement today. The Treasurer (Mr. Nixon) indicated that nobody else had been appointed to act on matters concerning this investigation and that we should go to the Solicitor General himself.

If the Solicitor General feels qualified and comfortable to answer, I want to ask him questions with regard to this investigation. Some questions that have been asked and have not been answered are: On how many occasions has the boat in question been used by the minister and other members of the cabinet? Is the minister prepared to throw out the 60 charges against the 60 people in the Kingston area charged with the same offence that the minister has admitted to? Is the minister comfortable answering those questions? Should we be dealing with him on this matter?

Hon. Mr. Keyes: My information is that the questions were answered very adequately by both the Treasurer and the Attorney General (Mr. Scott) on the two days in question. As the member knows, a report has been ordered by the Attorney General into the entire issue. When the issues that have been raised by questions are dealt with in that report, they will be made available to all members of this House.

ADULT EDUCATION

Mr. Allen: I have a question of the Minister of Education with respect to an imminent crisis in adult education that will come with the transfer of taxes from the public boards to the separate boards on January 1, 1987. The minister will know that countless numbers of both adult separate ratepayers and adult public ratepayers take their adult education from the public boards in this province.

All through the Bill 30 debate, that question was before us, and his ministry assured us that existing regulations and legislation would cover the matter. What is the minister's response now

that the Metropolitan Toronto School Board has a legal decision which tells that public board, and presumably the rest of us, that public boards may not legally use public ratepayers' money to provide adult education to separate ratepayers?

Hon. Mr. Conway: I thank the honourable member for his question. He correctly recalls the circumstances of the debate in the standing committee on social development vis-à-vis Bill 30 and adult education. I have done what I said I would do, which was consult widely.

I obtained Jane Dobell, a very distinguished representative of the public school community, and asked Mrs. Dobell to prepare recommendations on the basis of her expertise and her own consultation, and she has done that. Within a very few days, certainly this week, I expect to be making a statement on this very important matter of adult education in this assembly.

Mr. Allen: We all have to recognize that this issue is a very critical one for countless numbers of adults who are taking courses in English as a second language, French as a second language, adult education programs for credit in general and basic education in particular.

It is critical how the minister is going to respond. Can he assure the House that he will not respond with a mechanism that, in effect, caps the absolute amount of grants for adult education and fosters duplication among the boards in the field of adult education; but with a mechanism that will provide reasonable compensation across the boards and not result in any adult being denied access to the programs of adult education on any board, regardless of the assessment?

Hon. Mr. Conway: In this matter, as in so many others related to school policy, I am very anxious that there not be needless duplication. I must say parenthetically to my friend the member for Hamilton West that it was with no little disappointment that I noted in the papers last week certain individuals in the school community in Metropolitan Toronto were raising this as a concern, but on the other hand, from what I could see or hear, doing very little to provide the right kind of climate for consultation and dialogue.

Mr. Davis: The minister must have 50 letters on it. He does not bother to respond to his correspondence, and he knows it.

Hon. Mr. Conway: The member for Scarborough Centre intervenes. He has not been leading the parade by way of providing advice.

My colleague the member for Hamilton West and I will well remember what the party opposite did when it was in government to continuing and

adult education. It eviscerated the program. We have no interest in that kind of policy.

My colleague will be anxious to be in the House later this week to hear a statement that I hope will address all his concerns. I want to share with him the view that adult education is a very important part of public education, and we want to see it proceed in an orderly and cost-effective fashion.

ALCOHOL ON OPP BOAT

Mr. Harris: I would like to ask the Solicitor General what advice he is giving the Ontario Provincial Police about policing charges for offences similar to the one he has admitted committing this summer.

Hon. Mr. Keyes: I do not give any specific instructions to the police in regard to the matter. As the member knows, the rules are written down and they enforce them at their own discretion as they see fit.

Mr. Harris: The members of this House and the members of the public find it impossible to believe the police officers in the Ontario Provincial Police, who are charged with enforcing the laws, do not have some question about what they should be doing during this period of covered-up investigation, about which we do not know the length, who is doing it or what is going on.

Mr. Speaker: Question.

Mr. Harris: Given my comments on his previous answer, is the Attorney General aware of what is happening with those similar charges that have been laid against other people around the province, specifically those 60 people who have been charged with the same offence in the same riding in which he resides?

Hon. Mr. Keyes: In deference, the reference made by the member in his question was to the Attorney General. Perhaps his mind was thinking ahead of his mouth. Since it is a matter of the courts, it should have been directed to the Attorney General. If that is what he intends, I bow to the Attorney General. If he wishes to direct it to me, I will answer it.

INSURANCE RATES

Mr. Wildman: I have a question of the Minister of Financial Institutions regarding insurance. Is the minister aware that in my riding, in the community of Blind River, Mr. Venturi, owner of the Lincoln Hotel, who has had only three minor claims in the past and who renovated his hotel at a cost of approximately \$185,000, installing new burglar alarms, fire

alarms and fireproofing, had his insurance jump from \$5,643 last year to \$17,595, an increase of 211 per cent, when his former insurer dropped his policy and he had to go to Pafco Insurance Co.? If the minister is aware of that kind of increase, can he indicate what on earth is being done to insure that tavern and hotel owners in this province are able to obtain affordable liability insurance so that they and members of the public are protected?

15:00

Hon. Mr. Kwinter: I am not aware of that specific incident, but I am certainly aware of many things like that, which have happened to tavern owners. I have heard from them. I can say that the Ontario liability insurers have been attempting to provide insurance for those who cannot get it or who felt they could not get it. Basically, we have been able to resolve it. As far as the cost is concerned, unfortunately that is something I cannot do anything about. The marketplace is working. There are people canvassing other markets and coming up with premiums they can deal with.

Mr. Wildman: The minister should be aware that in this case Mr. Venturi went to the Ontario liability insurers and they referred him to Pafco, which is apparently the only company in this country that is providing this kind of insurance. As long as Pafco provides insurance, even if it is at ridiculously high rates, he cannot get any assistance from the Ontario liability insurers.

Is the minister aware that Mr. Venturi and many other tavern owners like him will not be able to increase the premiums they are paying, cannot afford insurance and will operate next year, if they are not already operating, without any liability insurance? If he is aware of this, will he please tell us how many tavern owners in this province have no liability insurance? What is he going to do to ensure that not only can they obtain insurance, but also that it is affordable?

Hon. Mr. Kwinter: I disagree with the member when he says they will operate without any liability insurance. I am not aware of any tavern owner in Ontario who is operating without liability insurance. We have set up the Ontario liability insurers to cover people who cannot get insurance. If insurance is available in the marketplace—the member says Pafco is providing it—then the competitive forces are in action and there are companies that can meet it. That is how the system is working.

HYDRO RATES

Mr. Andrewes: My question is for the Minister of Energy. The Minister of Industry,

Trade and Technology (Mr. O'Neil) indicated today that the government has some concerns about corporate takeovers. We will assume those concerns can be translated into Bill 142. Since the minister withdrew Bill 142 from Orders and Notices last Thursday, we can only assume he wants some time to consider the amendment we said we would put forward. Does the minister agree that determination of Ontario Hydro's wholesale electrical rates should be made by a tribunal following a public hearing?

Hon. Mr. Kerrio: According to the member's question relating to the bill that was to be put forward, the bill was to protect consumers in Ontario. There were great difficulties in designing a bill if we were going to reach up through corporate structures to do that. The bill was designed to put a picket fence around the distributors and make absolutely certain that the distributors were protected. That is the question as it relates to the bill. If the member has another question, I will be pleased to answer it.

Mr. Andrewes: If the minister does not like the amendment we put forward, which would protect consumers from Ontario Hydro putting in place electricity rates above those that are necessary, can we be assured that he will be introducing his own amendment to require wholesale electricity rates to be set by the Ontario Energy Board?

Hon. Mr. Kerrio: It is obvious the former minister does not quite understand the system. There is great concern by this new minister that it would impact on our borrowing from other jurisdictions if we were to step in and do that. That has to be taken into account. It is a very important issue and we are examining it now. This government does not put forward a bill until it understands the complete ramifications of the bill and how it will impact on the people of Ontario.

ASSISTANCE TO FARMERS

Mr. Hayes: My question is for the Minister of Agriculture and Food. As the minister knows, the Ontario Institute of Agrologists has released an important report on the future of the agricultural sector. The report shows that on a dollar-to-dollar basis the American and European Community governments provide far greater assistance to farmers than Canada does. As an example, in 1986 it is estimated that Canadian assistance to barley producers is 33 cents a bushel, whereas in the US it is \$1.06 and in the European Community it is \$3.11 a bushel. Given those conditions, does the minister agree that our

farmers cannot compete, no matter how efficient they are?

Hon. Mr. Riddell: Our farmers have done a very good job of competing up to this point. I agree that we are caught in the cross-fire of a trade war between the United States and the European Community. It is true that about 50 per cent of the farmers' income in the United States comes by way of government subsidy. On account of this last Food Security Act, about 70 per cent of the farmers' income from the European Community comes by way of subsidy. That makes it very difficult to compete, but we are competing. We will continue to provide programs at both federal and provincial levels to see that our farmers can remain in a competitive situation. For very obvious reasons, we do not have the treasury in this province or in this country that the United States and the European Community have.

Mr. Hayes: The minister knows price supports and financial assistance are only part of the answer. He knows people in the food production industry have had a belly full of discussion, consultation and review of these questions by government. What they need is help in the short term and a greater certainty in the long term.

Can the minister tell us today when his government will spell out to the more than 500,000 people who work in the food production sector exactly what its policy is for the long term so that they can know what to expect in the years to come and plan their futures accordingly?

Hon. Mr. Riddell: The honourable member is well aware of the fact that the national agricultural strategy was tabled at the first ministers' conference in Vancouver last week. Once again, agriculture is taking the lead because it is the first time in the history of this country that provincial and federal ministers have been able to get together to devise a national agricultural strategy so we can take our place in the global market as a country and not be competing against the treasuries of other provinces. That is a step forward.

We have a framework upon which we will build. We will build and we will come out with programs that will run over longer periods. In the meantime, we have to address the difficulties farmers are facing with what one might call short-term programs. Today I have announced a very enhanced Ontario family farm interest rate reduction program which, contrary to what the official opposition critic says, is a better program than those offered in either Alberta, Saskatche-

wan or Michigan. We are very proud of this program and so are the farmers.

Mr. Stevenson: I also have a question for the Minister of Agriculture and Food. In spite of the minister's rhetoric, the property tax rebate program here in Ontario is still the biggest assistance program to Ontario farmers in total dollars. Why are the forms to the farmers about three months late going out this year?

Hon. Mr. Riddell: Perhaps that question should be addressed to a ministry other than this ministry. It could be because of the postal situation we have in this country. I understand that four cents of the 34 cents is actually spent on delivering the mail and the other 30 cents is for storage. Maybe the honourable member should talk to his counterparts in Ottawa.

Mr. Stevenson: From the minister's answer it is very clear he did not have the foggiest idea that the rebate forms were late this year. As I recall, last year, the assistance to the farmers was in place in time for the last payment of taxes. Can the minister tell me how many millions of dollars his delay has saved his government to put into other agricultural programs?

Hon. Mr. Riddell: A very short answer would be none.

15:10

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question for the Minister of Labour regarding Robert Hunt, a company that has been able to violate the Occupational Health and Safety Act with impunity for the past six years, including such things as 39 workers sent to hospital on one day and 13 on another in March 1986 for a toxic substance on the floor, and excessive hours of overtime.

Is the minister aware that the union finally gave up trying to get help from the Ministry of Labour and took Robert Hunt to arbitration for threats against staff by the supervisor? They won that arbitration under section 24 of the act. Can the minister tell me whether he now is prepared to lay charges against Robert Hunt for its action against the employees?

Hon. Mr. Wrye: I have heard something of a recent arbitration regarding a reprisal allegation. I have not had a chance to look at it personally. I will look at the results of the arbitrator's findings and let the honourable gentleman know. The member, and indeed the company, will see in due course what actions we will take, if any.

Mr. Martel: Since his ministry has a policy of not prosecuting if there is a successful arbitra-

tion, and since this excludes two thirds of the workers who cannot go to arbitration because they do not have the right in this province, is the minister prepared to change the policy of his ministry and prosecute where intimidation has been proved? When the minister is reporting to us, whenever it is, will he tell us how many times the ministry has prosecuted under section 24 of the act?

Hon. Mr. Wrye: On the latter point, my friend would find that it would take some time to gather statistics. To be fair to the member, I would guess that the statistical number would not be high.

I will indicate to the member and to my colleagues in the House that as we look at amendments to the act that will come forward later this session, in a general sense the issue of workers' right of refusal and actions to protect workers in the event of reprisals ranks very high on the list. I do not believe we can move forward in terms of the rights of workers to refuse unless we are very tough on what happens when reprisals take place. If there are reprisals, provable reprisals, the ministry and the government, through our act, will be very tough in terms of those reprisals.

STABILIZATION PAYMENTS

Mr. Stevenson: I have another question for the Minister of Agriculture and Food. I noticed the parliamentary assistant to the Minister of Revenue run and whisper in his ear about property tax relief. We will see what he whispers about this one.

The minister is requiring beef producers to pay \$6.60 per head as they register their cattle, yet the ministry sent the tapes to Ottawa only about two weeks ago for the \$13.20 payment on the tripartite stabilization for the second quarter. How many millions of dollars is this delay in payment saving the government and costing the beef producers of this province?

Hon. Mr. Riddell: It is obvious the member knows not of what he is talking. This is about the third time I have responded to the same question. I have tried to impress on the honourable member that we have sent all the information to Ottawa, where this is compiled. My suggestion is that the member contact his counterpart in Ottawa to see why Ottawa is delaying getting the information and payments back to the farmers. It is not our fault that the delay is taking place. We get the information to Ottawa as expeditiously as possible.

Mr. Stevenson: I would like to believe that, but I can assure the minister that many others in

the province have phoned and questioned his ministry staff, and they do not believe the answer the minister just gave. I quote Henry Ediger of his ministry, who said, "The subsidy for beef cattle would have been \$46 a head, not \$13.20, had the aid program been in full effect since the beginning of the year."

We know the minister signed the stabilization agreement two months before any other government signed. We also know his position on the payments got to Ottawa at least six weeks, and maybe two months, later than the position of Alberta. How much did the minister's indecision and delay cost the beef producers of Ontario?

Hon. Mr. Riddell: The fact that I signed two months before any other minister of agriculture signed shows the leadership we display in this province.

If we go back in history a wee bit, we find the previous government tried to get a tripartite stabilization program in place for four years, and when I became the minister it was only a matter of months before we had a tripartite program in place.

We have moved; we have a program in place. The honourable member is well aware that a committee composed of livestock producers and provincial and federal government people is responsible for this program. It is not this Minister of Agriculture and Food who makes the rules and regulations; it is a committee of beef producers.

MUNICIPAL TAXATION

Mr. Grande: My question is for the Minister of Municipal Affairs. The minister will remember that on July 10 I presented a petition in this Legislature with more than 3,200 signatures from residents of the city of York telling his government that, on the one hand, they are paying the highest rates of property tax in Metropolitan Toronto and, on the other hand, they have probably the worst level of municipal services in Metropolitan Toronto. These residents are demanding that special direct grants from his government be established to meet this crisis.

The answer to the petition, which he provided in October, was at best very confusing. Let me ask him a very direct question: Will he provide direct grants so the people of the city of York will not have to pay the highest property taxes and have the fewest municipal services in Metropolitan Toronto?

Hon. Mr. Grandmaitre: I agree with the honourable member that York may be paying the

highest municipal taxes because of its low commercial and industrial base. However, at the same time, once a year the Ministry of Municipal Affairs compensates municipalities with a lower commercial and industrial tax base. Only recently I turned over \$3.5 million in resource equalization grants to the city of York. The \$3.5 million will compensate for some of the low growth that is happening in York, but I cannot resolve all the low growth of York.

Mr. Grande: The minister will know the \$3.5 million he is talking about was given to the city of York in 1983, 1984, 1985 and 1986. Therefore, it is nothing new; the city has had this grant for a while.

Does the minister not remember—and he should flip over the page I have provided for him—that in May 1984, the member for London Centre (Mr. Peterson), the leader of the Liberal Party of that time, the then official opposition in this Legislature, asked the people of the city of York to convene a special meeting at the municipal offices in regard to high property taxes? Is the minister now saying that in 1984 the Liberals acknowledged that property taxes were high when they could not do anything about it, but now that they can do something about it, they are saying they can do nothing about it?

15:20

Hon. Mr. Grandmaitre: I just agreed with the member that York is paying the highest municipal taxes. I am not disagreeing with him; I am agreeing with him. At the same time, I am providing York, not only the city but also the region, with resource equalization grants. That is what we are doing.

This year we looked at all low-growth areas, and northern Ontario and eastern Ontario showed that their growth was lower still than York. That is why eastern Ontario and northern Ontario were better compensated, but the member's day will come. I cannot help the low growth of York because of its low commercial and industrial tax base.

ASSISTANCE TO REFUGEES

Ms. Hart: My question is for the Minister of Citizenship and Culture. A number of groups in York East are very concerned about the settlement of refugees in Ontario. Some of these groups are already making inquiries about how they can assist the refugees in their settlement. What are the policies of her ministry with respect to the settlement of refugees in Ontario?

Hon. Ms. Munro: As my honourable colleague knows, Ontario assumes total responsibility

for all the settlement services of refugees. That information is given out widely through the ministry. One of the avenues through which it is given out is our Welcome Houses, which are represented both in Toronto and in Hamilton. We are also endeavouring to establish closer relations with the federal Ministry of Immigration and to deal with other ministers.

I can assure the member that in working with communities we do indeed have the infrastructure, and the communities are very much linked with establishments such as Welcome Houses. If the people of Ontario want to help to contribute, as they have in dealing with and finding homes for our refugees, Ontario welcomes them and will welcome their involvement.

Ms. Hart: My supplementary to the minister has to do with the co-ordinating effort with the federal government. Can she tell me in a little more detail what efforts have been made to date?

Hon. Ms. Munro: We have had a number of representations at the ministry level with a working committee as such, dealing with the federal Minister of State for Immigration, Mr. Weiner, which has attempted to co-ordinate in as humanitarian a way as possible the links that are necessary. Links have also been made in dealing with various church groups and community groups.

I am confident that any peoples who do arrive in Ontario by choice will receive the safe harbour they so desire. Anyone wishing to know the co-ordinating links may contact our ministry, any of the Welcome Houses or immigration or refugee offices located across this country.

DRUG BENEFIT FORMULARY

Mr. Jackson: I have a question for the Minister of Health. It has been more than a year since he first announced there would be some new drug pricing legislation. Pharmacists and consumers have been waiting two years for a new formulary, which will enable consumers to benefit from price reductions on some drugs and which will add to the list lower-cost generics which have come on to the market since then.

The minister has announced a December 1 formulary, and pricing adjustments normally occur one month later on January 1. What will he do to ensure that this formulary will reflect current changes and will be in sequence with the market?

Hon. Mr. Elston: We have put together the best information available which will reflect, in our current circumstances, the prices we have been able to arrive at on the basis of what is

known as the best available price. That was the amendment suggested in the legislative committee by the opposition parties, speaking on behalf of some of the associations, notably the Ontario Pharmacists' Association. That material has been assembled to the best of our ability from information gathered under our existing system.

We are looking forward to the December 1 date, when the Drug Benefit Formulary will be put into effect with some new prices that will indicate some savings. There will be additions of some of the new drugs, as the honourable member has indicated, and we hope to be able to deal effectively with the federal excise tax, which has been an abiding concern and problem for pharmacists and consumers right across this province. Everything will come to us and will be put in place by December 1, and that will be the date when we will start adjusting according to the new formulary.

Mr. Jackson: After two years, I hope the minister's staff will be assembling more pricing information than what was available prior to the beginning of November. Will the minister be asking for prices effective January 1, or is it his intention to keep the formulary out of date so that consumers will be unable to gain immediate advantages of price reductions and will be forced to wait months for less expensive new generic drugs that will be added to the list?

Hon. Mr. Elston: There are several parts to that question which I think need answering, although I will be brief in my response. First, I thank the member for pushing so avidly for generics in the light of the fact that his federal counterparts wish to eliminate the generic advantages our system has had for the past several years. I can tell that the member is not particularly up to date on what all of us, as a party, have put forward as our position.

As the minister in charge of carriage of this situation, I met—although not nearly often enough—with the federal colleagues who would see me in May and June of last year. We will continue to adjust and reflect the need for changes in the formulary as the information comes to us. We are thankful for the member's help in suggesting that the prices be lowered, because we would all like to strive for competitiveness in the marketplace and save the consumers some money. I am willing to work along with the member to help save the consumers some money in Ontario.

VISITOR

Mr. Speaker: I would like to inform all members that we have a guest in the Speaker's

gallery today, Lucien Lamoureux, a former Speaker of the House of Commons in Ottawa. Please join me in welcoming Mr. Lamoureux.

TABLING OF INFORMATION

Mr. Wildman: On a point of order, Mr. Speaker: You will note that under standing order 31(i), the government has two weeks to respond to a petition, provided it is properly worded and accepted by the House. I introduced a properly worded petition on October 22. By the most liberal interpretation of standing order 31(i), I should have had a response by November 20. I have not heard anything from the Liberal government, and I ask you, Mr. Speaker, in your capacity as the chairman of this Legislature and this assembly, to ensure that the government lives by the rules of the House.

Mr. Speaker: The member has brought that to the attention of the House, and I am certain the government House leader has taken note of that.

USE OF GOVERNMENT OFFICES

Mr. Breaugh: Mr. Speaker, I have a point of privilege and I seek your assistance with it.

Last week, I approached the member for Northumberland (Mr. Sheppard) privately and pointed out to him that it had been brought to my attention that someone was operating a business out of his legislative office. I did not think that was appropriate, but I thought the easiest and fastest way to deal with it was to consult the member.

Today, in my office, I once again received correspondence from a Jeannette Larabie, who is now offering a travel business from a legislative office in the Whitney Block. I also discovered there is a complete Amway distributorship operating out of that office.

I am not sure our standing orders cover this. I am not sure the office in the Whitney Block is under your jurisdiction, but I am sure something is wrong here. It is clear to me that another business should not be run out of a legislative office. In fact, I find that two businesses are being operated out of this office.

My staff, and I have only two people who work here at Queen's Park, does not have time to run a business on the side out of my legislative office, and I would not want them to do it in any event. It offends me somewhat that two private businesses are in operation out of a member's office. That may not be contrary to the standing orders, but I believe it is wrong and I would like you to investigate it.

15:30

Mr. Speaker: I thank the member for bringing that matter to my attention. I thought all members were fully employed with the work of the assembly, etc. I am not certain whether I have any authority, but I will certainly review the comments made and discuss them further with you privately.

PETITIONS

DAY CARE

Mr. Bernier: I would like to table in the House today a petition signed by 78 constituents of the Kenora riding. They are petitioning the Liberal government to stop the withdrawal of indirect subsidies to day care centres until a viable funding alternative is in place.

This petition is signed by Anne West of the Norah Love Children's Centre parents' committee, Box 177, Sioux Lookout, Ontario.

EQUALITY RIGHTS LEGISLATION

Mr. D. R. Cooke: I have a petition signed by approximately 440 constituents. It is addressed to the Legislature, myself and the member for Kitchener-Wilmot (Mr. Sweeney). It is in opposition to Bill 7. I would like to quote it in part, because part of the argument is unique. It reads:

"We are supportive of the Ontario Human Rights Code...and agree that the legislation was both appropriate and necessary and wish to point out that a vital tenet of both the human rights code and the Christian faith is the principle of the inherent dignity and equal and inalienable rights of all members of the human family.

"Our opposition to the proposed amendment is based on our desire to preserve the Judaeo-Christian values which have been the basis of the moral code of this province and this country.

"In accordance with the position adopted by the Catholic bishops of Ontario, we feel amendments in the present form fail to distinguish between sexual orientation as a condition of man and sexual orientation that may be seen to describe a form of sexual behaviour, such as homosexuality and/or any form of sexual promiscuity which represents a lifestyle that is contrary to Christian morality and will cause great harm to our society. In failing to distinguish between a condition and a form of behaviour or lifestyle, this legislation may be viewed and used to condone and promote a form of behaviour that is detrimental to society and inconsistent with Christian principles."

MOTIONS

WITHDRAWAL OF BILL 68

Hon. Mr. Nixon moved that the order for second reading of Bill 68, An Act to amend the Securities Act, be discharged and the bill be withdrawn.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Nixon moved that the member for Brantford (Mr. Gillies) and the member for St. George (Ms. Fish) exchange places in the order of precedence for private members' public business and that notwithstanding standing order 71(h), the requirement for notice be waived with respect to the ballot item standing in the name of the member for St. George.

Motion agreed to.

INTRODUCTION OF BILLS

PAY EQUITY ACT

LOI PORTANT ÉTABLISSEMENT DE L'ÉQUITÉ SALARIALE

Hon. Mr. Scott moved first reading of Bill 154, An Act to provide for Pay Equity in the Broader Public Sector and in the Private Sector.

L'hon. M. Scott propose la première lecture du projet de loi 154, Loi portant établissement de l'équité salariale dans le secteur parapublic et dans le secteur public.

Motion agreed to.

La motion est adoptée.

SIMCOE DAY ACT

Mr. McLean moved first reading of Bill 155, An Act respecting Simcoe Day.

Motion agreed to.

Mr. McLean: The purpose of the bill is to change the name of the public holiday celebrated in many municipalities on the first Monday in August from Civic Holiday to Simcoe Day, in honour of John Graves Simcoe, who was appointed the first Lieutenant Governor of Upper Canada on September 12, 1791, convened the first Legislative Assembly and also established the capital of the province at York, now Toronto.

SECURITIES AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 156, An Act to amend the Securities Act.

Motion agreed to.

Hon. Mr. Kwinter: I am introducing today for first reading the Securities Amendment Act,

which amends the Securities Act principally in the area of takeover bids and issuer bids. The legislation is a result of a review by the Ontario Securities Commission, in consultation with the securities industry and other provincial securities administrators, which was begun in 1982.

It is substantially what was contained in Bill 68, which was given first reading on December 3, 1985, and reintroduced on April 22, 1986. Bill 68 has been withdrawn.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES AND RESPONSES TO PETITIONS

Hon. Mr. Nixon: Before the orders of the day, I wish to table the answers to questions 402, 413, 414 and 448, the interim answer to question 454, the response to petition, sessional paper 210, and the interim response to petition, sessional paper 221, standing in Orders and Notices [see Hansard for Monday, December 1].

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Brandt moved that pursuant to standing order 37(a), the ordinary business of the House be set aside to debate a matter of urgent public importance, that being the announced closure by Goodyear Canada Inc. of its manufacturing plant in Metropolitan Toronto with the attendant loss of more than 1,550 jobs in that community, the fact that the government has totally failed to respond to protect the jobs of the workers and the community economic base they represent, the fact that there is no process of public accountability in such instances that would ensure every possible alternative is explored to prevent the closure of the plant, and the government's failure to implement a comprehensive industrial adjustment program.

Mr. Speaker: The notice of motion was received in time by my office, at 11 a.m. this morning, which complies with standing order 37(a).

I will listen to the honourable member for up to five minutes, as well as representatives from the other parties.

Mr. Brandt: I fully appreciate, as do the other members of this House, that we have other urgent business that was to come before us today, but I feel that at this point the matter pertaining to the proposed Goodyear closure is perhaps the most critical issue we have to deal with today.

15:40

Up until this time, the only reason we have heard that makes any sense whatever with respect

to the closure is that it is somehow bound up in the financial dealings of Sir James Goldsmith, the financier who apparently was interested in a takeover of the Goodyear plant. As a direct result of that gentleman's involvement in Goodyear affairs, it now appears that about 1,550 jobs are in jeopardy. I suggest as well that the matter will not end with the 1,550 jobs. My own community is involved in the production of rubber, as many members are aware, and there could well be some negative spinoff effects as a result of the plant closure now being proposed.

Many additional jobs are at risk here: those of suppliers, truckers and small business people; but the part that bothers me most about this whole question is that Goodyear is, in fact, a profitable Canadian operation. According to the best information I have been able to receive—and I listened carefully to what the minister had to say on this matter during question period—it would appear that in a nine-month period, Goodyear has had a net profit in Canada in excess of \$11 million. That \$11 million would indicate to me that the plant should remain open.

If it were a plant that was not operating on a profitable basis, if it were showing significant losses, I would be somewhat more sympathetic to the kind of problem the Goodyear people are apparently trying to face, but this is an entirely different problem. We are talking here about a profitable operation and about a manufacturing plant in the heart of Metro Toronto that has no reason to close down. There is a market there; there is a product that is viable, and every single indicator is that the plant should be saved.

That plant has been operating in Etobicoke for some 69 years now. In fact, the community grew up around that plant, as many members are aware. What concerns me as well, and one of the reasons I have put forward the proposal for an emergency debate on this issue, is that from January to August of this year, the government sitting across the aisle from us has sat by idly while some 15,000 announced or actual layoffs have taken place in the short course of some seven months. I suggest that those numbers are becoming extremely critical, and the 1,550 that were announced by Goodyear simply add fuel to the fire.

I ask where the minister has been during the course of this entire discussion. According to the minister's response to a question in question period, he heard about this for the first time on Friday. I suggest that there is an anticipatory role for the ministry to play. The minister should acknowledge that you can foresee this kind of

thing happening when you see some of the tell-tale signs that are before you.

Let me cite some of them. (1) We had a takeover threat in this particular plant, which was announced in many of the newspapers. (2) We have a plant that is somewhat antiquated; it is an old plant. Again, the minister should have seen that there might be some problems related to that. (3) We have very intense foreign competition in this industry at present, and the industry generally is facing some problems.

With all of the those signs, I would think the minister would anticipate a problem and would attempt to sit down in advance to work out some kind of solution, one by which the jobs could be saved. I might add that the former government, at a time when there were some difficulties with respect to Massey-Ferguson in Brantford, did bring forward the necessary dollars to save that plant and that operation.

There are 1,550 direct jobs at stake here. I suggest that throughout the course of this emergency debate there will be some ideas, some thoughts and some suggestions to give the minister some leadership as to how he should proceed at this time to try to save those jobs. I do not believe it is too late if he takes the necessary action. Out of this debate, I hope there will come some ideas that he can put to use in saving the jobs in Etobicoke.

Mrs. Grier: I rise to indicate the support of our party for an emergency debate this afternoon on what is a very crucial issue not only to my riding and community of Lakeshore but also to the province as a whole. As has been said, this is certainly a profitable firm and a profitable plant. There has been a history of co-operation between the members of Local 232 of the United Rubber Workers union in that plant and management in coping with the reality of its being an old plant and the reality that is required in a modern economy.

We must have a debate today and that debate must lead to legislation, so that we in this Legislature are not for ever closing the barn door after all the horses have bolted. This is not a new issue. It has been before the House on many occasions with many closures. There have been many debates and many questions.

We in this party had anticipated the need for legislative action. That is why, in the accord that was signed between the New Democratic Party and the Liberal Party, there is a very specific commitment to the reform of job security legislation, including notice, justification of layoffs and plant shutdowns and improved

severance legislation. The debate we have today has to result in just that legislation. It also has to result in some commitment that we will save the specific jobs at Goodyear in New Toronto.

I welcome the conversion of my neighbour to the right, the member for Sarnia (Mr. Brandt), on this issue. I point out to the House that had the select committee on plant shutdowns and employee adjustments, which was convened in 1981 by the former government, been reconvened after the 1981 election, we might have had legislation that would have prevented this province from being in the situation in which it now finds itself.

We cannot afford to delay any longer. Not only must we have legislation that protects the workers and the community, we must also have the requirement that there be public justification so that we can all know the financial background and the rationale. It is not good enough that jobs in Ontario will be sacrificed for corporate stock market manipulations in Akron, Ohio, and that the production that is now needed in this province and is taking place at that plant should merely be shifted to some other province or, in this case, to some other country.

This closure will have enormous effects on my community, on the employees who are already there and on the pensioners of that firm, many of whom live in southern Etobicoke. I hope this debate will be a productive one and will lead to action on the part of the government.

Hon. Mr. Nixon: We have no objection whatsoever to the designation of this matter as an emergency. The fact that some perambulatory British peer, in trying to maximize an already unconscionably large fortune, should be meddling in the corporate intricacies of Goodyear Tire and Rubber surely is not an adequate reason that the employees in Ontario should be facing a layoff. I agree with those who have already spoken and with the views expressed in question period that this sort of thing is totally appalling. I have no objection to its being designated as an emergency matter.

As has already been pointed out, the government was made aware of this on Friday afternoon. In response to questions earlier today, the minister said that while he had already been talking to the Canadian president, he and his officials were insisting that the international senior executives come to Toronto so that the matter might be reviewed tomorrow.

I suggest that the House might consider having this debate tomorrow rather than today. As usual, the Progressive Conservatives have quite readily

shown their pre-eminence over the New Democratic Party in matters having to do with labour negotiations. They got their motion in in good time and there it is; so everybody knows, on an objective review, who the real friends of labour are. That is not in question. They had it in in good time.

However, this afternoon by agreement of the House leaders we were to debate some very important amendments to the Ontario Human Rights Code. A number of people have made special arrangements to be present for the debate and the vote. Those include a number of my cabinet colleagues, who were persuaded—as a matter of fact, they were extremely eager to do so—to rearrange their intricate schedules set far in advance so they could be present in the House and express their personal views on this sensitive and important matter. I am sure they can continue to set aside their schedules for as long as required.

I suggest this emergency matter will still be an emergency tomorrow. The minister has already indicated he will be able to report to the House from the senior executives not only of the Canadian subsidiary but of Goodyear Tire and Rubber as well. I wish I could promise that we would have Sir James himself here so we could say and do to him some of the things that spring to mind.

Aside from that, I simply indicate that the debate of this important matter might very well take place tomorrow, not that I and my colleagues have the disposition of the matter, but we would undertake to support without any equivocation that the debate would go on then. It would be reasonable and appreciated if the business as already established were allowed to continue today.

15:50

Mr. Speaker: I have listened very carefully to the three spokespersons, as I am sure all members have. According to standing order 37(b), it is my job to place the motion. Shall the debate proceed?

Motion agreed to.

PLANT SHUTDOWNS

Mr. Brandt: In the brief opportunity I had prior to this debate being allowed to proceed, I mentioned to the minister that there should be some anticipatory response from the ministry in the case of a plant closing or a proposed plant closing of this type. I indicated there were a number of red flags out there relative to the

Goodyear situation that should have raised some level of concern within the ministry.

It bothers me that the situation as it relates to a proposed plant closing in my own area is somewhat similar to the Goodyear situation. The minister may recall the letters I have written to him and the Premier (Mr. Peterson) indicating there is a very serious problem relative to the Ethyl Canada plant located immediately to the south of my riding, in the great riding of Lambton, which is currently the responsibility of the member for Lambton (Mr. D. W. Smith). On a number of occasions, I have pointed out that the government should respond to those situations; it should take some action relative to a proposed plant closing that would save the jobs.

What can one do in this case? In the first instance, I suggest the reasons given for the plant closing in the case of Goodyear are totally inadequate. To suggest that the necessity of closing this profitably operating plant is a result of a takeover bid by Sir James Goldsmith, because of a modest cash flow problem the corporation has, makes absolutely no sense whatever to me.

I do not know what responses and answers to questions the minister has received from Goodyear up to this point, but I would like to point out that back in April 1985, a working document was circulated at that time by the Liberal Party of Ontario. On page 7 of the working document, it says, "A Liberal government will ensure that where justification for a plant closure is inadequate, the full cost of all concessions granted to the firm be recovered."

That was one of the policy positions the Liberal Party was putting forward. It also indicated that in addition to creating new jobs, existing employment must be protected. I could not agree more. It pointed out the terrible statistics of that time, that during the previous three years there were some 25,600 jobs that had been lost. I point out that in only seven months, 15,000 jobs have been lost or are about to be lost as a result of the inaction of this government with respect to this type of problem.

It also goes on to say in its working document that not every plant closing is unjustified or that facilities should be forced to remain open when economically unviable. I agree, but here we have a set of circumstances where the plant and the corporation in Canada are profitable. As a result of activities that are well beyond the operations of this plant, there has been some suggestion that a closure is imminent. As far as I am concerned,

that is totally and completely out of the question in terms of being fair to the workers at that plant.

It is interesting that today we had the Attorney General (Mr. Scott), as minister responsible for women's issues, introduce legislation for the expansion of pay equity in this province. Yet there will be no equity for the Goodyear workers after they are laid off; there is no way they will be able to get a balanced paycheque or to continue to fund their responsibilities, because their jobs will no longer be there.

What can the minister do? I am not going to stand here in my place and simply criticize, but I suggest he might take the suggestions of my leader, who today indicated some of the investments that have already been made by the government to create new jobs, particularly in the automotive industry. The minister can sit down with the Goodyear officials and try to find out exactly what the cost is of modernizing, upgrading and making the current plant more acceptable, what the cost might be for that kind of action on the part of the minister and the government.

If the government can invest millions of dollars in creating new jobs, there is just as much rationale and just as much logic in investing money to save existing jobs. Manufacturing industry jobs are vital to our province; they are high-tech types of employment that are very difficult to replace. Once lost, they usually end up going to some other country or some far-flung area of the world, never to return to our province or country again.

We cannot afford to lose these jobs, and my party will support any responsible action on the part of the minister that will invest in the retention of these jobs in this province. We feel that is an appropriate response and one that may well be welcomed by the Goodyear people.

I am not talking about a giveaway or about corporate handouts; I am talking about looking at the most serious problem that has to be solved in this instance, the saving of the 1,500 jobs, plus the downstream spinoff, which is very considerable as well. It may even go back to my own community, which in part supplies plants such as Goodyear with the butyl rubber used in the production of tires.

The Premier talked about mandatory corporate consultation when a situation such as this develops, but I have heard nothing other than a surprise announcement on Friday followed by a litany of very weak reasons that have come forward from the corporation as to why the plant is going to be closed. There has been no

consultation to any great extent other than the very limited discussions the minister has had with the corporate officials, which I believe he indicated took place this morning.

Where was that consultation? In my view, it should have been held some months ago, when this problem could be seen starting to come down the road. The earlier action is taken on a matter of this kind, the more likely there is to be a successful result. If you wait until the horse is gone, it is far too late to close the barn door. That is what has happened in this case. The minister is now scrambling; he said he was shocked and concerned. I share the concern he has about the loss of these jobs. I am sure he did not welcome this announcement or sit around over the weekend saying he hoped this would happen.

To be shocked and concerned, however, is not adequate in terms of what had to be done in this case. I cannot agree with all the proposals that will be brought forward by the third party relative to a legislative package that would control all elements of plant closings, but there are elements in what they are talking about and there may be some good ideas they can bring forward that should be looked upon as being positive suggestions in the light of the situation we are facing. I would put those in position alongside our suggestion that some government funding should be used to keep this plant operating in Ontario.

16:00

I point out to the minister that very little of the money in his high-technology fund has been spent to this point. I do not want to get into a political debate about some of the commitments made for Exploracom and some of those other questionable investments, but I do want to say that the 1,500 or more jobs in Etobicoke are equally important as any high-technology jobs that may be involved in a computer company in downtown Toronto. The minister should look very carefully at the amount of money he has available to him, committed through the budget of the Treasurer (Mr. Nixon), and perhaps use at least a small percentage of that to try to save these jobs and jobs in other communities. I again bring up the concern I have shared with the minister on a number of occasions about the problem of Ethyl Canada in the Sarnia-Lambton area.

There are a number of things the minister can do. A number of my colleagues wish to speak and share some ideas with him on ways this plant can remain open. I suggest he take action as quickly as he possibly can to sit down and tell the corporate officials of Goodyear that he is totally dissatisfied with the responses and the justifica-

tions they have given to date for this plant closing. I also suggest he demand that the plant continue to operate while he searches for answers and solutions as to how it can continue to remain open on a continuing basis into the distant future.

Mr. Rae: I appreciate the opportunity to participate in this debate. I take this opportunity to try to broaden the discussion, because I think what has happened at Goodyear—the announcement and the events leading up to the announcement—is reflective of some very dramatic developments in the world economy to which Canadians and all democratic people simply have to respond.

I dare say we are on the edge of as major a change in corporate behaviour and corporate responsibility as we were on the eve of the Great Depression. We see the same stock market frenzy, the merger mania, the incredible gains—some legal, some illegal—made by those involved in various forms of acquisition and sale, some involving insider trading and some not. That mania is reminiscent of precisely the same kind of disease that infected the stock market before the great crash. I am not suggesting we are on the edge of a great crash; I am suggesting we are on the edge of a great change.

One of the most troublesome aspects of this case is not only that the ministry is unprepared but that our whole legal structure is unprepared as well. The workers were taken down to Akron, Ohio, and enlisted in the battle against Sir James Goldsmith. They were lectured by Robert Mercer, chief executive officer of Goodyear Tire and Rubber, earlier this month, just a couple of weeks ago.

He outlined what had taken place so far with the takeover bid by Sir James Goldsmith. I am reading from the *New Advocate*, which is the official publication of the local trade union. Mr. Mercer called Sir James Goldsmith “a foreign invader and a corporate terrorist,” similar rhetoric to what has been used by the Treasurer today, so he is in good corporate company. Mr. Mercer also said the company would fight Sir James every step of the way to try to stop him from taking over the company.

When the workers from Canada went down there, they were not told that if the company was successful in fighting off this corporate terrorist, they would be the first victims of the great victory.

What troubles me is that a company does not make a decision to close on November 21 unless it has made that decision and that decision has been in the works for a very long time; the

minister knows that. A company does not turn around and close a plant that employs 1,500 people, that is one of the base plants in the Goodyear chain in North America, unless it has been in the works for one heck of a long time; the minister knows that.

While all of us are outraged at the activity of Sir James Goldsmith and at the fact that shares can be bought and sold and jobs can be bought and sold at the same time, the issue goes beyond and is deeper than the mere corporate cannibalism, which everyone is quite rightly outraged about.

Back in 1981, the member for St. Andrew-St. Patrick (Mr. Grossman), who was the Minister of Industry and Tourism at the time, announced the approval of a \$500,000 employment development fund grant for the modernization and revitalization of the Goodyear Canada tire plant in Etobicoke. That money was given away at the time when the Etobicoke plant was making the transition from what are called bias-ply tires to radial tires, and we, as taxpayers, paid for part of that modernization.

We have the Conservative Party indicating today that it is its view—this is apparently the new Tory doctrine—that as long as a company is making money, it makes a whole lot of sense for the government to shell out money at the same time to protect jobs. All I can say is that if taxpayers' dollars are going to continue to be paid out to corporations to protect jobs, then the workers have to be protected as well, and we have to change the nature of the democratic relationship among taxpayers, governments, corporations and workers.

What this issue is about is the fundamental question of economic democracy itself. What is at stake here is not simply the question of one plant closure or one example of corporate merger mania in the United States. What is at stake here is the nature of the modern corporation and its obligations to the state, to government, to the community and to working families.

What has happened to the corporate sector, and it has become even clearer in the past number of months and weeks, is that more and more corporations are not in the business of making tires, of making cars or of making steel; they are in the business of making money. This is not a very dramatic revelation, but it is one that clearly moves the whole process of production away from the question of financing and capital markets. The farther apart those values get, the deeper the crisis becomes in our economic system.

When the minister cross-examines the corporate executives tomorrow, I hope he will discuss with them very bluntly when and where this decision was made. I hope he will have in front of him all the information that the company has apparently shared with various congressional committees. It is my understanding from reading the New York Times yesterday that both Sir James Goldsmith and Mr. Mercer have been in front of a congressional committee within the past two weeks. He should have that information before him when he speaks to the president tomorrow. Obviously, he has to discuss with them the fact that the company has been making money, as has been stated, that the company has been profitable and that it has received not only direct grants but also tax grants.

If the minister does not know it, and I am sure he does, it is my information that in 1985, when it showed poor results because of a lengthy strike in Valleyfield, the company received a \$4.6-million tax credit. It is my understanding that in 1984 it earned an income of nearly \$20 million, or \$7.53 a share, and that the only year in which it has lost money was the year of the great recession, in 1982, when it lost 98 cents a share. However, it is interesting to note that when it lost money that year, \$2.4 million, it received a tax credit of \$5.4 million.

We are looking here at a company that has done rather well as far as the Canadian taxpayers are concerned. We are looking at a company that has done very well in terms of its history of profitability during the past nearly 70 years in Canada. We are looking at a question, not simply of what happens to the workers but also of what it says about our society, that the workers are always the last to know, the last to be protected and the last to be considered.

16:10

The reason there are 24 members here who call themselves democratic socialists is what happened to the Goodyear plant this weekend. The reason we have a fundamental difference of opinion with the government with respect to what is going on in our economy is that the capitalist economy that exists today has no sense of moral obligation to the people who work in it and that the governments that are elected in this country have no ability to deal with the lack of moral integrity in the capitalist system.

There is no other way to describe what has gone on. Workers have no democratic rights with respect to stopping a closure. They have no way of protecting themselves. They have no right to information, participation and involvement.

They have no right with respect to their ability to control what goes on in the company.

If ever I needed a justification to convince me it is time to be a democratic socialist, this would be such a day. I cannot imagine an issue that more clearly strikes at the heart of what is wrong with our economy today. The question is, are we prepared to do our part? Not everything because we cannot do everything. We are simply a provincial Legislature. We do not control all the capital markets and we do not control the world. The question is whether we are going to bring in legislation that will finally bring these companies to heel and inject some degree of democracy into our economic system.

Hon. Mr. O'Neil: I thank the previous members for their comments concerning this subject. I appreciate the opportunity to update the House on the situation concerning the closure of the Goodyear Canada plant in Etobicoke. As I mentioned previously during question period, I regret very much the decision of the corporation to close this facility or to talk about closing it. The loss of more than 1,500 jobs is particularly disturbing, not only to myself but to all members of this Legislature.

The Ontario and federal governments were notified of the Goodyear decision on Friday afternoon, shortly before the general announcement was made. The short notice has increased the difficulty in working with the firm in developing investment or other alternatives. Over the course of the weekend, I and my officials have been working to assess this situation. We have been in close consultation with the company and with my colleagues in the cabinet.

The president and chief executive officer, Scott Buzby, met with me in my office earlier today for an extensive discussion of the circumstances surrounding the closure and what options might be available to all the concerned parties. Mr. Buzby also met with the Minister of Labour (Mr. Wrye) to discuss efforts to minimize the social and economic disruption to Goodyear's employees and their families.

During the course of my discussions with the Goodyear people, I indicated that the government of Ontario is fully prepared to discuss the possibility of assistance for the modernization of the plant. However, Mr. Buzby has indicated the decision to close the Etobicoke facility is final, or at least that was his comment at the time. Their view is that the closing of the Toronto plant cannot be averted in the light of its competitive position. Those were his comments.

In particular, he mentioned that the physical restrictions of the current four-storey, 69-year-old plant greatly impede the ability of the firm to modernize to world competitive standards. Those were his comments. He also said that Goodyear's announcement on Friday was part of a global effort at restructuring and that the parent company has also announced the closure of the Kelly-Springfield tire plant in Cumberland, Maryland. Employment losses of this uncompetitive United States facility are even greater than those in Toronto.

However, the government of Ontario must and will continue all possible avenues to secure the employment future of more than 1,500 people in Ontario. I have also had a lengthy conversation with senior executives in Akron, Ohio. This focused on both the Etobicoke facility and the possibility of new future corporate investment plans for Ontario.

To follow up on this, my ministry will be meeting with senior executives from the parent company to discuss the basis for the corporate decision. We will continue to seek clarification of the rationale for the Goodyear decision. We will also continue to explore other avenues for investment in the Ontario economy.

Some excellent points have already been raised by some of the members here. We will monitor the discussions this afternoon on some of the other questions members will have and will make sure these questions are put to the executives tomorrow afternoon.

Mr. Gillies: I am glad this emergency debate is proceeding, although I sometimes join these debates, as I am sure other members do, with a certain sense of frustration that we deem a situation to be an emergency, talk about it all afternoon and at the end of the debate there is not even so much as a resolution of what the House's wishes are with regard to the situation.

None the less, this affords us an opportunity to get some of the issues on the table and to impress upon the minister a course of action we believe should be taken. As my leader said during the question period this afternoon, the situation is extremely serious and, we believe, one that may require the minister to put some money on the table.

There was some hooting at that point, as if this had never been the case and as if our party had not been willing to respond in the past. I guess I am a little sensitive to this, because I took over as the member for my constituency of Brantford in 1981, when the government of Bill Davis was in the latter stages of negotiation with the federal

Liberal government at that time and with Massey-Ferguson Ltd. Then we saw the government of Ontario commit something in the neighbourhood of \$176 million to ensure the continued existence and, we hope, the health of the Massey-Ferguson company, both in my riding of Brantford and in Toronto.

I might add that at that time the work had been well under way and the negotiations were bearing some fruit before I became the member. It is not something that was undertaken by the Davis government with political considerations in mind, but rather working co-operatively with the New Democratic Party member who held my seat previously, with the best interests of the workers in mind. I reject utterly any suggestion that governments of this province in the past have not reacted strenuously when thousands of Ontario jobs were threatened.

At the time of the 1985 election, my riding was again threatened by the prospect of considerable unemployment arising out of financial difficulties of White Farm Equipment Ltd. Again, the minister of the day, the member for Sarnia (Mr. Brandt), and I met with company and union officials and moved quickly to offer tangible financial assistance from the government of Ontario to help that company remain in business. The problems of the White Farm Equipment company are well known to some members. They were serious and even crippling. The company, unlike the one we are debating today, was not at that time profitable. None the less, our government of the day went forward and said, "We are willing to make a further financial stake, on top of some millions of dollars already committed to White Farm, to try to ensure its continued existence."

The change of government took place, the negotiations fell down and White Farm Equipment closed in my riding, with a loss of some 600 jobs. Now we find ourselves in yet another one of these situations with the Goodyear plant. I say to the minister, not meaning to be overly partisan but in terms of a very closely held belief of my own, there is no area of endeavour in which the new government of Ontario has fallen down so dramatically and has proven itself so inadequate to respond as in the question of layoffs and plant closures. We have not seen any kind of cohesive response of the kind that was promised by the Premier when he was running in the last election to become the Premier of this province.

My colleague the member for Sarnia pointed out that between January and August of this year we have had actual and announced layoffs in this

province totalling something in the neighbourhood of 15,465 lost jobs. Since then we have had the problems with softwood lumber, which I am led to understand could lead to a further loss of 1,000 jobs. If we take the other layoffs and this one we are debating today at Goodyear, we could be looking at 20,000 lost jobs in this province through layoffs and plant closures since the beginning of the fiscal year.

16:20

That is not a record of which this government should be proud or with which it should be satisfied. We have a situation at Goodyear in Etobicoke of a plant that is profitable; it has been operating at a profit. This morning we contacted a spokesman for the company, Peter Rose, who stated the plant had to be closed because it could not be modernized to meet the standards and qualities that will be needed in the industry in the years to come. The only option would be to tear down the building and start from scratch.

Even if we take that statement at face value and discount the machinations and the corporate takeover attempt by Sir James Goldsmith and everything else that is going on, if we take at face value that the plant is not now profitable because of antiquated equipment, the government of Ontario should be right there to see what assistance it can offer and how much money is required for the modernization that may be necessary to make this a functional plant that can remain competitive in years to come.

It is not in any way unusual for an Ontario government to intervene in that respect. I hope the minister will remember that as he continues his discussions with the company. It may take millions of dollars, but just think of the impact on our economy of the loss of 1,500 jobs in one plant. That would be one of the larger single shutdowns we have experienced in this province for some years.

Let us also remember, when we talk about 1,500 jobs in an industrial work place in Ontario today, that we are looking at a post-recession situation. Through the years 1981, 1982 and 1983, many of our industries did not hire new, younger employees. In the Goodyear plant and others like it, we are talking about many senior employees, long-standing employees, some of them in their late 50s and early 60s, who would find it very difficult to leave Goodyear and go into another work situation or be successful in finding other industrial work.

It is extremely difficult for older laid-off and fired workers to do that. I speak with some experience because of my own father's unem-

ployment when Westinghouse closed in Brantford many years ago. My father was out on the street at the age of 59 trying to find other work. That is very difficult; it was then and it is just as difficult now.

In the several minutes remaining, it would be worth the time of the House to remind the minister of the kind of commitments and promises his leader made not so many months ago during the election campaign. During that election the member for London Centre (Mr. Peterson), now Premier, promised that a Liberal government would not allow plants to close without justification.

He said that the Liberal government would require mandatory consultation; that the Liberal government would bring in amendments to the Employment Standards Act so that companies would be forced to take into account the real cost of closure; that a government led by him would provide government assistance for feasibility studies and would provide interim funding until private financing or worker equity could be raised.

Those were the promises, but we have not seen this kind of rhetoric and these kinds of promises followed up by action. I would like to quote briefly from a communiqué put out by the Ontario Liberal leader, smack in the middle of the 1985 election. The member for London Centre was campaigning in Kitchener-Waterloo and he said in the communiqué, speaking of the Burns meat plant at the time:

"The Burns closure is an example of the type of problems which we must overcome. More than 630 people were laid off at Burns as a result of a corporate decision to shut down in the face of union demands. The public will never know which party was at fault, since there is no legislation in Ontario requiring justification for plant closures. Burns is only one of 172 major plants which have closed in the last three years."

He said that in a communiqué and he also said it at that time to the people of Kitchener in news articles in their local media. He said these kinds of shutdowns and job losses would not happen in Peterson's Ontario and that measures would be put into place to ensure they did not happen in Peterson's Ontario. It has been Peterson's Ontario for a year and a half now, and these problems are continuing unabated.

The minister will have the support of this party and the goodwill and support of every member of this Legislature if he can follow through on the kind of promises the Liberal Party made to take office and if he can follow through with the kinds

of measures needed to ensure that workers can continue their work in a profitable plant such as the Goodyear plant.

Mrs. Grier: I welcome the opportunity to participate in this debate and to share with the members of the House something of the impact this closure will have on my community of Lakeshore. That plant has been an integral part of our community since Goodyear moved there in 1917. In fact, it was the arrival of Goodyear that led to the development of the town of New Toronto and the development of the houses which spread out from there to become the whole community of southern Etobicoke. Its property tax billed by the municipality of Etobicoke in 1985 was \$1,373,000, not an inconsiderable amount to have withdrawn as a result of the intention of the company not only to close down but also to demolish the buildings and sell the land.

The people of the Lakeshore community have not only worked in that plant but have also participated in recreational programs. It has been the source of summer jobs for many people—in fact, in my own family. It has certainly been a part of our community, and the psychological impact of its closure transcends not just those who are employed there, whose jobs will be lost.

The reasons we have been given for that closure are entirely unacceptable. It is worth noting that one of the reasons the takeover bid did not succeed was that the legislature in Ohio was moving to bring in legislation which would have prevented just the kind of takeover contemplated. In my opinion, the threat of a takeover has been used more as an excuse by the chief executives of Goodyear than as an actual reason.

We have all heard over many years in Lakeshore that the plant was old, that it needed to be modernized and that it was going to close, but the rumours have always been there and the actions have never occurred. What has also not occurred has been any meaningful action on the part of the company to modernize and to make an 80-year-old plant of four storeys as productive as it could possibly be.

The employees have certainly co-operated to the greatest extent possible in working with management to try to do some reorganization and to render the plant productive. The members of the opposition have referred to the grant given in 1981. It is interesting to look back to the press release from the then minister, now the Leader of the Opposition (Mr. Grossman), and the grandiose promises made as a result of that \$500,000

grant from the province under the employment development fund.

The press release reads: "The grant is to help finance the \$16.75-million first phase of the conversion, and the total program over five years is expected to cost \$24 million. The modernization will allow the company to convert part of its plant from bias-ply production to radial tires. The project will generate 339 new jobs, and the plant's new lease on life has been made possible by co-operation among management, labour and government."

I submit that labour and government have done their part. Management's protestations of long-term stability in that community ring somewhat hollow today, when we are faced with the loss of 1,550 jobs.

It is important to look back on the select committee, which was aborted by the previous government in 1981, and some of the recommendations my colleagues in the New Democratic Party put forward as a result of the discussions of that committee, which never did report to the House. Our recommendations were relevant. If they had been implemented, we might not find ourselves in this position today.

My colleagues recommended that when closures were contemplated, a public justification system would be established. It would entail holding public hearings to examine proposed major layoffs and plant shutdowns, assess the social and economic impact of such layoffs and plant closings and recommend specific action to maintain productive enterprises or to mitigate the harmful effect of unavoidable layoffs and plant closings. In the minister's discussions with the company, I hope he will take that recommendation into account.

16:30

It is indeed an old plant, but there are 25 acres there. It would certainly be possible to re-establish a modern plant on that site. I hope the minister will demand from the company all the figures that will justify its claim that its competitive position demands the closure of this plant.

If Goodyear insists on closing and demolishing the building, I hope the minister's colleagues in cabinet will be very careful before they allow a redevelopment of the property. I want to put the Minister of the Environment (Mr. Bradley) on notice that I do not think the mayor of Etobicoke's claim that he can build condos on the land is a very valid one. I suspect every inch of soil on that 25 acres has been impregnated with unacceptable substances. Perhaps it is worth

warning Goodyear Canada that it will not be easy to redevelop that land and sell it off to its developer friends. Even if that is done, the value of the land is merely a drop in the bucket compared with the money Goodyear claims it will have to spend to buy back the shares.

In addition to public justification, we must have some community assistance for the loss of revenue and business to the Lakeshore community. We must have some meaningful retraining programs if the shutdown proceeds, programs that will be designed to retrain those workers for jobs that currently exist, not just short-term retraining that will not lead to any meaningful employment. That company must be made to realize the very harmful psychological effect these layoffs will have on its workers, their families and the community at large. It has to be prepared to put in place the type of counselling, support and information those workers will need to enable them to adjust to the impact of the closure.

Our community of Metropolitan Toronto is experiencing what small towns all across this province have experienced so very many times before. It is not good enough to say that just because we are part of a larger metropolitan area, we do not suffer the same impact as a smaller community.

I hope the minister in his discussions with Goodyear Canada will express the thoughts that are being expressed in this debate today. I look forward to some productive conclusions to those discussions. I thank the members for giving us an opportunity to have this debate today.

Mr. Henderson: I rise with pleasure and yet sadness to participate in this debate at a time of great consternation and trouble in the economic history of Etobicoke and my riding of Humber.

Fortunately, I was able to meet on short notice with Mayor Bruce Sinclair of Etobicoke earlier this afternoon. We were able to put our heads together to see what ideas we could generate that might improve this most regrettable situation. I know the mayor will want me to convey his profound regret, his very great consternation and his fervent hope for some satisfactory solution to this very serious development. As the mayor said, the flags of Etobicoke are at half mast this afternoon.

Although the Goodyear plant is not located in Humber, the 1,500 or so employees who were laid off include among them many residents of Humber. I have a special feeling for them and for the adversity that has been inflicted upon them by virtue of this untoward development.

It seems most upsetting and most lamentable that a development such as this affecting the wellbeing and livelihood of 1,500 people and their families could be brought about by the mischievous financial dealings of one or a small number of individuals, in this instance Sir James Goldsmith of Franco-British connections. The fact that he should be able, indirectly, to wreak such havoc at the expense of the workers of Etobicoke is very sad indeed. Goodyear has been a good corporate citizen. The retooling and restructuring that were occasioned by the failed takeover bid has forced the company to institute a large number of measures of restructuring its financial situation and reducing debt.

Of the 1,500 employees of this 69-year-old plant, two thirds live in the borough of Etobicoke. The tax revenues generated by Goodyear at the municipal level only were in excess of \$1.5 million. Of that, perhaps \$300,000 goes to the city of Etobicoke, \$700,000 or \$800,000 goes to the school boards involved and perhaps \$400,000 or so goes to Metropolitan Toronto, not to mention the fiscal losses occasioned at the provincial and federal levels by a plant closure of this magnitude.

Before I became involved in public life, I was head of an outpatient and community services unit at the Lakeshore Psychiatric Hospital. The patients I served were in many instances employees or relatives of employees of Goodyear. The community of New Toronto, as the member for Lakeshore (Mrs. Grier) says, was built around the Goodyear plant. The spinoffs of the fiscal wellbeing of Goodyear, and now of the closure of this plant, will be enormous for the area retailers, the shops, the stores, the banks, the credit unions, the restaurants and the other amenities of the Lakeshore area and elsewhere in Etobicoke. Therefore, this is a crisis that affects not only the workers of Lakeshore but also many other financial and other service organizations of Lakeshore and elsewhere in Etobicoke. The Lakeshore area, New Toronto, had the highest credit rating of any area in Metropolitan Toronto, thanks in part to the economic viability underscored by this fine corporate citizen.

One can have two kinds of reactions to a development such as this. One can lament the closing of the plant. Indeed, it has been slated for closure before, in 1981, when Goodyear undertook, with the assistance of the provincial government, a revitalization program of some \$24 million, including a \$500,000 grant from the Ontario government. This agreement towards converting the plant to radial tire production,

installing new equipment and adjusting piece-work rates did underscore the continued viability and effectiveness of the plant. It expired, however, on June 30, 1986.

We can think of that aspect of it, but we think also of the fate of the workers who have depended on Goodyear for so many years, workers who have suffered in many instances during the almost 70-year history of this company such things as back ailments; hearing problems; fingers and, I suspect, arms and other body parts lost in the machinery of Goodyear; the rubber, the dust and the other contaminants that have affected the health and wellbeing of the Goodyear workers. This price in very human terms that has been paid by Goodyear workers for the continued viability of Goodyear may seem to some perhaps to be for naught and in vain.

It is one thing to deplore the failure of a corporation such as Goodyear and another to suggest what steps might be taken to remedy the situation and to try to make some contribution to the fiscal security of the Lakeshore area. I notice that the president and chief executive officer, Scott Buzby, was quoted in the media over the weekend as having said the company is open to discussing possible ways of averting this catastrophe. It may well be that a modest, sensible and well-placed infusion of fiscal assistance could be helpful. Although the company has not been competitive in the global marketplace, it is hard to imagine that people are going to stop needing tires. I do not see why we in Etobicoke and Ontario ought not to be able to do that as efficiently and as cost effectively as might be done by workers in other parts of the world.

16:40

I hope the ongoing discussion, and perhaps negotiations, between the ministry and the officials of Goodyear will be productive and that we will find some way to mount whatever kind of prudent generosity may be appropriate under the circumstances towards retooling, revitalizing and perhaps a rebirth of manufacturing capability of the sort that Goodyear has been able to offer in Etobicoke.

As a government, we have endorsed the principle and concept that better notice and justification of layoffs and plant closings ought to be required, that improved severance arrangements for workers who are victimized by these closings ought to be ensured and that better notice ought to be a fact of life in the event a plant does not seem to be able to continue its viability.

We want to continue to examine carefully the whole notion of corporate takeovers and ensure

that corporate takeovers of the sort Sir James Goldsmith became involved with have in some way the prospect of benefit to the public interest as well as to the coffers of a multimillionaire. If it turns out that Goodyear cannot be rescued, we will want to examine alternatives to ensure that the Lakeshore area will continue to be viable and profitable and that workers displaced by the closing of Goodyear will find alternative employment without the necessity for large-scale family relocation.

These are a few measures in general terms. I am sure other members have other measures to put forward, but I wanted primarily to speak to this tragic development in Etobicoke and Lakeshore and say how much I and my colleagues feel for the workers who are inconvenienced and in some instances, I am sure, placed in a most disadvantageous financial situation by this development. We want to help them in every way we can. I am sure the ongoing efforts of the ministry and negotiation with the corporation will prove helpful and ultimately successful.

Mr. Davis: It is a sad day when I find myself joining in a debate concerning a company I once worked for. Because the Liberal government has failed to initiate any of the policies the Premier indicated he would initiate when he became a leader of this province, the company now faces a position where 1,557 jobs will be lost. I look back with fondness on the three or four years I was employed at the Goodyear rubber and tire company. Although I was not in the production end, I certainly was in the business office and the IBM section.

Mr. Haggerty: What did you do in 1977 when about 5,000 men lost their jobs?

Mr. Davis: That is very interesting. Perhaps the member would like to talk about Massey-Ferguson and White Farm and the amount of money the previous government put into keeping them open.

It is sad that this government, which indicated it had a concern for the people of Ontario, does not seem to have a concern for the workers of Ontario. In my brief period here in the House, I have watched the inaction of this government result in a laying off of 800 to 1,000 workers in the lumber industry in northern Ontario, because it refused to be involved in the issue of the stumpage fee and the tariff being implemented by the United States. I find that we now face another situation, where 1,557 men and women will lose their jobs.

The Premier has indicated some of the steps he would take, one of which is mandatory consulta-

tion. However, the Minister of Industry, Trade and Technology (Mr. O'Neil) has failed to live up to them. He indicated in the House today he learned about that decision in the paper. Where is their consultative process? Where is their initiative into the business community, asking what is happening?

Mr. Haggerty: Why did the member not ask that question two months ago?

Mr. Davis: Why did the minister not ask that question two months ago? Mr. Speaker, excuse me for a moment, I would like to respond to my learned and honoured colleague across the House.

Mr. Speaker: Interjections are out of order.

Mr. Davis: I thought they were too, but I am quite prepared to respond. When he inquired where were we two months ago, the question is not where were we, the question is, where was his minister two months ago? His minister was nowhere to be found. His minister stands up in the House today and indicates he learned about it on Friday and he was going to meet with them maybe.

Let us look at the effect it is going to have. We have read in the local news reports today that the area—

Mr. Ferraro: On a point of order, Mr. Speaker: The member is factually incorrect in his dissertation. He said the minister said he was going to meet with them maybe. It is quite evident from the minister's indication this morning that he did meet—

Mr. Speaker: Order. That is not a point of order. The member will continue.

Mr. Davis: It would be all right if something happened at the meeting. It probably would have been interesting.

We look at New Toronto and we look at the small businesses in New Toronto that will be severely affected by the closure of this plant. In this morning's paper, there was an article about a lady who owns a little store across the way. She said 60 per cent of her business comes from the workers of Goodyear and that she will continue to hang on as long as she can. However, the prognosis is that she will lose her business and the investment she made just 18 months ago.

What about the workers? It is imperative and important that we take a look at the impact it is going to have upon those families. I can imagine those families gathered Friday, Saturday, Sunday and this evening around the dinner table talking about what plans they have for tomorrow. I know what that means. Many times my father

was unemployed in his profession. Many times I have sat like the youngsters of those families and the wives of the husbands when they come home and say: "I no longer have a job. I have been laid off today." In this position, they have six months to prepare for that eventuality and the tremendous impact. Christmas, a time of joyous festivities, now has a dampening, shadowy spirit placed over the top of it. Some of the wishes of those youngsters will not be able to be realized as the parent begins to figure out what his options will be six months down the road.

What about those young families that, believing they had some kind of equity and stability, began the process of purchasing new homes or have perhaps purchased them? They face the bleakness of maybe losing their homes.

What about the older worker? I ask this government, which says it has compassion for the people of Ontario, what about that older worker and the mid-age worker, who will find it very difficult to get a job? What is this government going to do about that? Is it going to introduce some type of retraining program it will pay for?

A speaker had the audacity to stand up and talk about relocating people out of neighbourhoods. One does not take people and lift them from their roots, transport them somewhere else and tear apart the heritage they developed in that community. One at least attempts to deal with realities.

When this new government moved across the floor, it had a freshness about it. It exuded ideas and enthusiasm. The Premier stood up and said to us, in a great oratorical speech in which he had all the press held in his hand, he was going to invest \$100 million in new technology. He was going to turn Ontario around and make it an industrial giant and competitive in the world markets. Here we find, according to the press, one of the reasons for the closure of Goodyear is that it cannot afford to modernize its equipment and be competitive.

That same Premier, in consultation with the cabinet, we assume, agreed to give away \$17.5 to a museum of computers so that some day in the future, people can walk through that museum, located somewhere down in Harbourfront, to look at those computers and say, "Are they not nice?"

16:50

Here we have a company in desperate need. It is not the only company. I have a company in Scarborough that is on the verge of producing and marketing a world-class product, but it needs

money. It has come to this government and it was told, "No, you cannot have it."

It seems to me that if this government is true to its commitment, if this government believes in the ideology it professed prior to the last election and in this House, it has no option but to bring forth from its coffers, that hidden \$400 million, funds to renovate, modernize and retool the plant in New Toronto and give those 1,557 men and women new hope and new vision for tomorrow.

It is interesting that this government can find \$45 million in loans and \$10 million for infrastructures to give to General Motors-Suzuki. It found \$35 million for Toyota. Certainly the minister should have stood up in the House today, having done his homework, and said, "We are prepared now to give whatever millions of dollars are required," at least up to the \$35 million or \$45 million that we have already expended on these new companies to create jobs. He should have stood up today and said, "I am prepared to make that commitment today to save jobs."

That is not what he said. He stood up and said: "I am going to meet with them again and we are going to talk about it. I have deep concern and compassion for the workers who are going to be out of jobs." But he could have done something.

There was a great debate several months ago, when there was an election and a then member of the opposition looked at the then Prime Minister of the country and said: "Sir, you did have a choice." I suggest to the minister today that he had a choice. He could have stood up in this House today and offered those workers in New Toronto some funds to give them hope and a vision, but he said no. So much for the Liberals' proclamation of concern for the people of Ontario. They do not have any concern for the people of Ontario unless, of course, they happen to be wearing red ties.

It is a sad day. All I can do is to urge the Liberal government to find the funds to keep the Goodyear plant operating, remembering that in the entrepreneurial spirit, Canadians and Ontarians certainly can be competitive in world markets and they will be competitive in world markets only when governments are prepared to support and encourage them, to give them hope and to give them a vision for tomorrow. This government across the way today has not done that, but maybe tomorrow it will.

Mr. Mackenzie: Like my leader, I want to use three paragraphs out of a recent book by Diane Francis, *Controlling Interest*, to set this in perspective before I make my specific remarks

about the Goodyear shutdown. The opening paragraph says simply:

"Even businesspeople are beginning to be alarmed about the degree of concentration in Canada. 'In a number of years there will be six groups running this country,' warns Bernie Ghert, president of Cadillac Fairview Corp., the country's second-largest development company. 'We must grapple with the problems of concentration of substantial economic power in Canada in the hands of a new aristocracy consisting of 20 or 30 powerful families and the Canadian banks,' says Henry Knowles, a Toronto lawyer and formerly Canada's top securities watchdog."

The next paragraph, which I think ties in with this, is on page 3, early in the book, where it simply says:

"By far the most heated competition in Canada has been to buy the fiefdoms themselves, as conglomerates and families spent most of the 1970s borrowing millions against what they already owned to acquire more. At the last count by federal officials, some 4,685 takeovers had been made between 1974 and 1984, compared with 3,464 significantly smaller takeovers in the 10 previous years. The concentration continues, hurtling us towards an even more closely held economic oligarchy than already exists. Tragically, the issues do not have top political priority, even though controlling interest in the entire country is at stake, and so are political freedoms."

There is one sentence to add to that, and I am tempted to put it in simply because of remarks I heard thrown out by the member from Guelph in the earlier debate. Bankers such as Richard Thomson, chairman of the Toronto-Dominion Bank, are also concerned from a different viewpoint: "I worry about the political backlash if it is not dealt with. This could lead to socialism."

It is important that we understand this is not new. I have real difficulty with the hypocrisy of some of the members to my right in this House. Let me make it clear that their turn is going to come. They are going to have to put up or shut up, and it is going to be interesting in the next few days.

I sat on that select committee and have often referred to it in other committees. I have had the privilege of sitting on a number of important committees, and it was probably one of the more intensive ones, with more hearings and more time spent than in a lot of committees of this House. That committee destructed in 1981 when we had an election and the Conservatives got a

majority. One of the results was Job Security: The Unwritten Report of the Select Committee on Plant Shutdowns and Employment Adjustment, which we were forced to come out with to give us any say or input or any catalogue of the things that had been said before that plant shutdown committee.

What did we find out and what did we hear before that committee? We heard about the workers at SKF, which was also making money here in Toronto, and how SKF systematically changed the production runs to lower the profits, until production finally was down to nothing but the large bearing assemblies. The company still made a profit, but not nearly the profit it had made when it was responsible for the total ball-bearing operations. SKF then used that—with more advance notice than we got here, I might say—to shut down the plant and move half the operation to West Germany and half to France.

More recently, we have heard about Allen Industries. We heard about Bendix Corp. in Windsor, which made a profit for 40 of the 41 years it was in business. Still it closed down, and 500 workers still lost out.

Probably even more important than the fact that this was going on and that we set up a committee to deal with it back in the late 1970s—and that the committee could never bring in a report because the Tory government did not want a report on what we found—was how we were able to catalogue what happened to workers.

I have seen this at first hand and have been very much involved. The best example, because I followed it closely, is one I have cited in this House a number of times, the Consolidated-Bathurst operation in my own town. In that plant, 168 older workers—with the lowest seniority being 17 years—lost their jobs. To date, three and a half years later, about one third of them are still not working.

We know of five suicides among the ex-workers in that plant, an effect of the plant shutdown. We know the cost of a plant shutdown is not just the loss of a job. I have tried to underline that because it is important for members of this House to understand that when a plant such as this is shut down, there may be those who have enough service and who end up with their pensions, but there are an awful lot of workers who do not have the combination.

They lose not only their immediate wages and the immediate job but also their future in terms of a decent pension and what they might have had,

had they served out their full time. They have lost their wages and they have lost a good chunk of what they might have had as a pension to enjoy in their retirement years. They suffer inordinately from social and health problems. That has been well documented in studies of a number of plant shutdowns in Toronto. These are among the hardest workers in our communities to place. Most of them are older workers with a lot of seniority. It is not easy to find a job in these situations.

We have them paying the price in terms of their future, in terms of the immediacy, in terms of their health and in terms of their families, and we do not seem to count, for some unknown reason, that they are also costing their communities. We have a tremendous cost to the communities in welfare payments that we have to pick up and to the government in unemployment insurance and other benefits that are used up. All these costs are there. In many communities where there are major layoffs or major plant shutdowns, the tax base is no longer there to carry properly the facilities and the services, whether for schools or hospitals, that have been put into place.

We could not get a report out of that previous majority government and it did not even seem to be overly sympathetic. I recall sitting in the office of the minister of the time, Russell Ramsay, with a number of members and with the manager of the container division of Consolidated-Bathurst.

We asked the company officials why they would not consider a buyout bid by the workers because most of the production at the Consolidated-Bathurst plant in Hamilton was sold locally. What was the answer we got back? I think Stangeland was the guy's name. The answer was: "Imperial Oil would not sell a good choice corner lot to Texaco. Why should we put up with competition?" We found out only at the meeting that they were selling the plant operations and buildings to a neighbouring firm. We asked, "What about at least speaking to the company you are selling the operation to and try and get it to take some of these workers?" There were Tories and Liberals at that meeting. His answer was: "We would not want anybody telling us whom to hire. We do not intend to tell anybody else whom to hire."

When in frustration and fury I threw that at Gordon Walker, one of the cabinet ministers who sat in at the meeting in the House that same day, his answer was, "I guess they are not very good corporate citizens."

This is one of the issues we raised most often, most consistently and hardest with the previous government. We made some recommendations. They have been alluded to today, but I do not have the time to go into them. One of them was a public justification procedure. That is absolutely vital in cases such as this. Incidentally, it exists in sometimes stronger words in some of the European countries, so it is not new. We asked for a community adjustment fund financed out of taxes and payroll that could respond in a hurry when we ran into these situations. We asked for much more advance notice. It is an insult to this government, this minister and to this House to have been told only the day of the announcement for an operation as major as that.

The point I want to make is that we got nothing, we got nowhere and we got the Tories almost ignoring the situation from for I do not know how many years. The hypocrisy gets to me when I hear them arguing for the things they laughed at us about over that period of years.

Now I am talking to this government. Through about six major closures, I have sat down with the company people when they were pulled together by the government. They had all kinds of excuses and reasons and corporate rationalization, which is the favourite word. Now this government is on the spot. The question is going to be whether it has the guts to say to a company that is making a profit that this cannot happen, that it is going to have to pay a price that will cover what it is going to cost the community and the workers; that this is the only way it will get out of the operation and that otherwise the government will put in whatever effort is needed to bring it about. By that, I do not mean throwing in money. The leader of the official opposition said: "They are making money. Give them all the money they need to stay in business." I never heard a more ludicrous remark than that remark in the House today.

This government is on the spot. It is going to have to put up or shut up, which the previous Tory government would not do. This is a pattern that cannot be continued in Ontario if workers are going to have any say, any justification, any justice and any security in this province.

Mr. Ferraro: It is an unwanted pleasure to be able to participate in this debate this afternoon. Let me say at the outset that this government, my colleagues and myself personally—

Mr. Speaker ordered the bells rung.

17:02

Mr. Breagh: On a point of order, Mr. Speaker: This is supposedly an emergency

debate, called by the member for Sarnia, but there are only two Conservative members in the House.

Mr. Ferraro: Let me say to the member for Oshawa (Mr. Breagh) that I totally concur with him.

The member for Sarnia stands up to say how concerned his party is about the plight of these 1,500. What happens? We have two Conservatives in the House talking about this crisis, and he is not even here. Talk about hypocrisy and sincerity. It is an absolute disgrace. How they think they can con the taxpayers in this province, I do not know.

I started off by offering my condolences and I meant that sincerely to the people involved with this unfortunate crisis in Etobicoke. My empathy goes to the members who have to deal with these families directly.

When there is a crisis, one of the unfortunate things about politics is that politicians stand up to say how terrible the government is, what it is doing, what it is not doing and what it should be doing. I heard the member for Brantford (Mr. Gillies) say the government should not be proud of the fact that more than 1,500 people have lost their jobs. I can reply quite openly that we are not proud of that fact.

The member for Scarborough Centre (Mr. Davis) stood up and talked at great length about the inaction of this government and of my leader. The member for Hamilton East (Mr. Mackenzie) indicated his dismay and the fact that this government was on trial, so to speak. Quite frankly, he made more sense than the Tories did.

It is only proper that I point out—and perhaps this offers some solace, if there is any, for the 1,500 people who are possibly losing their jobs—what this government has really done. There have been 156,000 new jobs created in the past year. The unemployment rate, whether they like to admit it, is 6.7 per cent, which is the lowest in this country. The national average is something like 9.6 per cent.

Youth unemployment is the lowest it has been in more than 11 years. There are 16,000 more youths employed now than there were a year ago. For Ontario business projects, there has been a 16 per cent increase in investment spending and an estimated 23 per cent increase in manufacturing investment in 1986.

What do they do? They stand up and try to paint everything black, when in reality it has never been better. What is fair is fair. These are facts that can be substantiated.

Let me get to the real issue and, if I can, take it out of the type of partisan politics that the Tories hypocritically like to play. I reiterate, they are so concerned that they had two members in this House.

There are 1,500 people out of work. It is a disaster for the people and their families. What really does that mean? Statistics say that if there are 1,500 people directly out of work, it probably affects roughly 4,000 people in general, when one considers their families.

It is bad for anybody to lose his job at any time, but it is even worse that it should happen around Christmastime. What can one say to someone who has worked years and years and lost his future, so to speak? Everything seems dark and gloomy. Quite frankly, unless one experiences it himself, there is not really anything that anyone can say. What can one do? I can assure members that this government and this minister will do everything they possibly can.

The member for Scarborough Centre asked how we could have possibly allowed this to happen. He felt there should have been some consultative process whereby we should have been able to resolve this thing. I do not know what he is suggesting. Maybe we should have an individual employed by the government at every plant and every business in Ontario to find out exactly what their plans are. It simply does not work that way.

This happened and was sprung on this government and on this province Friday morning. This minister has already met with the president, and ongoing meetings are scheduled. We are going to do everything we possibly can. It is unfortunate that we had Sunday to contend with. We could have called the House back and possibly had this type of verbiage sooner, but what we want is results.

What can be done? Everything we can possibly do will be done. We can try to assist them with money. We can try to assist them with loans or grants, as the case may be. There could be some possibility that we could facilitate some new company coming into that plant. When the shipyards closed down in Collingwood, for example, this government was fortunate enough to be able to facilitate a new plant there. Obviously, things can be done, and I can assure members this government will attempt to turn over every stone in that regard.

17:10

The member for Hamilton East calls me the right-winger and I call him the left-winger. Fair enough. I accept the fact that he is a strong

socialist and I hope he accepts the fact that I am a strong free enterpriser. In this instance, it is very difficult to justify the actions of the company. I admit that. It is very difficult, precisely for the reason previously mentioned, that it is showing a good profit.

The problem with something like this is that while it is difficult, it happens. That is a reality of democracy, of the capitalist system. I might interject as well that there are a lot of good corporate citizens out there and one can get carried away with tarring everybody who is in private enterprise or every corporation with the same brush. That is not the truth.

Interjections.

Mr. Ferraro: People will yell out and say I am a strong free enterpriser, and I am. If you are a strong socialist, you are going to say the government can control everything, the government will look after you and the government is the answer. I do not believe that. I do not think the people in Ontario or Canada believe that. The government simply cannot provide everything, all the resources—

Mrs. Marland: On a point of order, Mr. Speaker—

Mr. Speaker: What is the point of order?

Mrs. Marland: I do not think it is in order for the member for Brampton (Mr. Callahan) to make interjections in any case, but certainly not when he is not in his own seat.

Mr. Speaker: You are certainly correct. I do not know whether I heard anything.

Mr. Ferraro: I am not sure to whom the member was referring. Nevertheless, I will proceed.

The point I am trying to make is that I do not necessarily believe in the type of socialism in which the member for Hamilton East believes. I believe in free enterprise and I believe the free enterprise system is working. It is obvious we are successful in Ontario now. Why? Because the free enterprise system is working and because this government is coming out with programs to help people to get jobs and to start their own businesses, particularly in the small business sector, and we will do that.

The bottom line of the whole thing as far as the member for Hamilton East and I are concerned, when it comes to socialism versus capitalism or free enterprise, I ask him, "Where do you draw the line?" He queries companies borrowing money against equity in order to grow and create more jobs—in some cases, admittedly, to consolidate when jobs are lost—but is that any different

from the average citizen borrowing money to start his own business? Is it different from the average citizen borrowing money against his house to buy some other real estate? That is the strength of this province, in my view. The socialist says, "No, the government is the answer to everything," but that is not the case.

I want to conclude by reiterating that the conviction of this minister, of this Premier and of this government is that everything will be done to assist those 1,500 people who are in the process of losing their jobs. I assure members that no stone will be left unturned.

Mrs. Marland: I am sure I join all the members of this House when I speak of the shock I felt when I learned of the announced closure of the Goodyear plant in Mimico. Many of the 1,557 employees happen to live in my riding of Mississauga South and in Mississauga as a whole. When it was constructed, Goodyear was the only building in the area. The entire town of New Toronto owes its existence to this facility. We have been informed that the very age of this plant and its inefficiency are major reasons why the plant has been chosen to be closed down. I will speak more about that later.

First, I want to talk about the economic impact the closing of the plant will have on the workers, many of whom have known no other job, and on the infrastructure of the area, which includes my riding of Mississauga South, which depends on the Goodyear facility for its survival. It is not just the 1,557 workers of Goodyear who will lose from this, as damaging as the loss of their jobs is. It will undoubtedly lead to the closing of numerous small businesses in the area. It will also undoubtedly lead to a major loss of revenue for the city of Etobicoke. The member for Lakeshore has already said the loss will be in excess of \$1 million in property taxes. This will also affect the surrounding municipalities.

As the elected representatives of the people of Ontario, we must act, if not to prevent this tragedy, then at least to minimize its impact. We must act where the government has failed to act, where it has failed to represent the workers at Goodyear, where it has failed to represent the interests of the residents of New Toronto and where it has failed to understand adequately the needs and concerns of both the workers and the company itself.

One of the most shocking aspects of this entire matter is that the government is only now, after Goodyear has announced its intentions, beginning to attempt to deal with this crucial matter. Why was the government not informed before-

hand, as used to be the case in previous administrations? Why did the Minister for Industry, Trade and Technology scramble to set up a meeting for today when he should have been meeting with Goodyear last week, last month, last year, to find a solution to this problem? Has the minister set up a meeting with the Minister of Community and Social Services (Mr. Sweeney) yet? Those needs will have to be included in any deliberations.

This government has gone out of its way to alienate itself from the business community in Ontario, earning in the process the revealing title of the most antibusiness government in Canada, a title given to it by John Bulloch of the Canadian Federation of Independent Business. Business in this province has no respect and no time for a government that seems to have no respect or time for it. Instead of being informed of the situation beforehand and instead of the government working with Goodyear to find a solution before we reached this juncture, we have a government that through its confrontational methods has reduced substantially the chances of our saving the jobs at the Goodyear plant.

The government has blown one opportunity; it cannot afford to blow another. The livelihoods of too many people depend on it. Therefore, I suggest it is time the Treasurer reaches into his pocket and pulls out some of the money he has been saving for election goodies. If the government can afford to give General Motors-Suzuki \$50 million in loans and grants to create 2,000 jobs by 1991, surely it can afford the same to save 1,557 jobs in 1987. If the government can afford to give Toyota \$35 million in loans and agree to finance skills training for a new facility to the amount of \$15 million, it can afford to give \$15 million to the Goodyear employees as well.

If the government, through our erstwhile Treasurer, insists it does not have the money, I suggest two alternatives. First, I suggest that the Premier's friend, the one-man show behind Exploracom, not get the \$17.5 million promised to him by the Premier. That will pay for the retraining of the Goodyear workers in a new high-tech facility. Second, to build that new high-tech facility, I suggest the government use the \$100 million it has earmarked for this year from the technology fund.

In a statement to the standing committee on general government, the Minister of Industry, Trade and Technology stated that the Premier's Council on high technology had met only three times. It has allocated a grand total of \$114,645 to date and has promised a total of \$2 million

more. That leaves more than \$97,800,000 still unallocated. I propose a proportion of that money, as much as is needed, should be used to update the Goodyear facility in New Toronto.

17:20

If the problem is that it is outdated and unable to compete, then let us use this tragic situation and take this opportunity to build the best and most modern plant we can. The money from the Premier's fund is just sitting there. The workers at Goodyear cannot wait until the Premier finds some other friends with a few ideas scribbled on paper to give it to. Let us use it now in the most constructive way possible, that is, to save jobs in Ontario.

The arrogance of this government, its disdain and willingness to act in a confrontational manner are costing the people of this province dearly. It is up to us, the members of the Legislature—

Mr. D. R. Cooke: On a point of order, Mr. Speaker: Contrary to the rules, the member has been reading for the past six minutes and 43 seconds.

The Deputy Speaker: I remind the member it is not in order to read at length from any document.

Mrs. Marland: This is not any document; this is my very well-prepared speech.

The arrogance of this government, its disdain and willingness to act in a confrontational manner—

Mr. Ward: On a point of order, Mr. Speaker: Who wrote the speech?

The Deputy Speaker: That is not an appropriate point of order.

Mrs. Marland: It is up to us, the members of the Legislature, to ensure that government inaction does not cost the workers at Goodyear or, for that matter, workers at any facility anywhere else that needs updating, their jobs, their dignity and their future.

Mr. Philip: In rising to participate in this debate, I do so not only with a certain amount of sadness but also with a certain amount of *déjà vu*. I feel sadness in the sense that I have constituents who are directly affected, who work in the particular plant, and *déjà vu* in the sense that we have been through this over and over again with the previous government in exactly the same manner.

Today the minister admitted that Goodyear's Etobicoke plant is a viable, profitable operation. In spite of this, we have the obscene and immoral activity of 1,557 jobs being lost.

I was in this House in 1981 when the then Minister of Industry and Tourism, the member for St. Andrew-St. Patrick, who is now the leader of the Conservative Party, announced a grant of \$500,000 to Goodyear Canada Inc. At that time, he promised the project would create 339 jobs in "that new section that will more than offset, the jobs anticipated to be lost because of the reduction of bias-ply tire business." He said, "The result will be an overall increase of 51 jobs over the next five years." That was in 1981. Instead of creating jobs in five years, what we have is this Christmas gift from Goodyear to the people of Etobicoke.

At no time did the former Conservative government obtain any job guarantees or promises in writing that would guarantee that the money the taxpayers were putting into the plant would result in a payback to the taxpayers on the investment and a payback to the workers and the people in the plant. As a matter of fact, if one looks at what happened in 1980-81, the members of Local 232 granted several concessions in the interests of the modernization of the plant. Thus, what we have today is a situation where the taxpayers and the workers in the plant have made several great sacrifices to Goodyear and, in turn, Goodyear repays the taxpayers and its employees by closing down the plant.

It is time the present Liberal government came into the 20th century and stopped the multinational corporations from playing with the lives of ordinary people in the way in which they are doing. The reason this plant is closing has nothing to do with the viability of the plant; we know it is viable. It has more to do with those people who wheel and deal on Bay Street and are making money by bleeding ordinary people, who have contributed years of their lives to this company.

Mergers rarely create jobs; they usually mean a loss of jobs. Mergers do not create new wealth in a society; they use the resources of a society that could be used for creating wealth, to create an increasing gross national product and siphon it off in ways that are absolutely unproductive. The response of this Liberal government, in the words of the minister, which I quote from the *Toronto Sun*, was, "We will be in touch with company officials first thing Monday morning and try to talk them into reversing their plans," O'Neil said."

This is not a poor company that the minister is going to try to convince. In the first nine months of 1986, it showed a net income of \$11,230,000. In its 1985 annual report, Goodyear executives

noted that in their six-month report their sales were up by five per cent. Their comment was, "Significant sales increases at the retail dealer and original equipment levels, and a general increase in market share, which are expected to continue."

The minister has just informed the House that he knew of the closing only on Friday afternoon. If this were to happen in a European country, all hell would break loose. There would be judicial inquiries, corporate executives would be called before the courts and there would be massive political ramifications to a government that dared to allow a company to follow that process.

When I talk to my colleagues who are legislators in European countries, or when I talk to people who come from these countries, they ask: "Why does this government not come into the 20th century? Why are there no laws to protect the workers from this type of situation, the way there are in Europe? Why is there not an ability of governments to work together in a democratic way with corporations to ensure that workers' rights, the corporations' rights and the taxpayers' rights are protected?"

In the case of this government, we have seen absolutely nothing to indicate that either the taxpayers or the workers are being protected. Certainly, the corporation is being protected; so we have a one-third type of philosophy to government. One third means everything to the corporation and nothing to the taxpayers, other than to bleed them as much as they can in a most fiscally irresponsible way. Judging from the speeches of the Tories, they want more of that, more corporate giveaways without any guarantees. That is what their government was all about. They gave the large grant to Goodyear in 1981 without any guarantees.

In the accord the Liberals signed we see the following promise, signed by the Premier: "Reform of job security legislation, including notice and justification of layoffs and plant shutdowns and improved severance legislation." If we look at what is happening at Goodyear, we see none of that. The minister gets one day's notice, Friday afternoon. Then he stands up in the House today and admits the company has said it is a fait accompli and that it is not prepared to change its mind, but he will go, cap in hand, to ask some kind of corporate mercy or charity for the 1,500 workers.

I say to the minister in no uncertain words that this is not enough. What is needed in this province is legislation in which there will be public justification, a system established that

would hold public hearings to examine proposed major layoffs and plant shutdowns, that would assess the social and economic losses and impact of such layoffs and plant closings, that would recommend specific action to maintain productive enterprises such as the ones that we are talking about and that would mitigate against the harmful effects of unavoidable layoffs caused by those plants that are uneconomic.

Second, we have to have a minimum of six months' notice—Europeans take this for granted—to be given to employees and the provincial government before a plant closes down and massive layoffs occur; not the one-day notice the minister has received but six months.

17:30

We also need a severance pay of one week's wage for every year of employment. We have recommended this to the government. It is not pie in the sky. It is nothing new and innovative. It was new and innovative in Europe many years ago when progressive governments there decided it would make some sense. Their economies are viable and modern, their economies are competing; so the government should not give me the nonsense of the Tories that somehow we have to pour dollar after dollar—taxpayers' money—into private enterprise without any kind of guarantees. It does not happen in Europe, where they have viable, competitive economies, and it does not have to happen here.

Mr. Speaker, the more you look at what has happened in this instance, the more you see things change the more they seem to remain the same. This government has shown it is no different from the previous government. The Minister of Consumer and Commercial Relations stands up in the House day after day and acts as an apologist for the multinational insurance companies as they rip off small businessmen who find their liability insurance increasing 300 and 400 per cent and as automobile drivers are being ripped off by these companies. The Minister of Housing (Mr. Curling) breaks his election promise to tenants. The acting Chairman of Management Board of Cabinet (Mr. Nixon) breaks the promise of an open, accountable government. This minister breaks the promise in the accord of proper legislation that would protect workers in cases such as this.

This government is no different from the last. It is operating in exactly the same manner.

The Deputy Speaker: Thank you. Your time has expired.

Mr. Cordiano: I rise with a great sense of remorse for the fact that more than 1,500 workers

have probably lost their jobs. It seems apparent that will be the case, at least in the short term, and that is something I want to refer to later.

As I sat and listened to the debate, and it has been a philosophical debate back and forth from one party to another, I thought it is really not a debate based on the Tories' view of the world or the view of the world of my colleagues from the New Democratic Party or our view of the world as we try to select a position that best exemplifies what we intend to do in terms of a number of policies that each of us would like to put forward. We can sit here and argue and debate—I do not think I am saying anything new—but obviously, it goes back to the people who are affected. It goes back to the community that is affected, and I do not think one can make this debate an ideological one.

Practical solutions are needed, from the point of view that workers can be re-employed effectively in meaningful work. We need policies to allow workers to adjust to situations such as this. A lot of that has to come from the federal government and its ability to look across the nation at what is happening in the economy today.

One might ask why this situation arises, why it occurs. It happens in economies throughout the world. More important, we are looking at the situation facing this country, and we have looked at it over the past number of years. It is no small accident that we have probably seen a number of plant closures in this country as a result of what I no longer like to call, but I think one could still continue to state it in these terms, our branch-plant economy. We have looked at that situation in the select committee on economic affairs looking into the free trade question.

Quite frankly, there are no easy answers. Although my friends across the way purport to have the solutions at hand, I do not believe they are that easy to come by.

Mr. Wildman: We just have the right questions; the Liberals do not have even that.

Mr. Cordiano: We are willing to listen to some of the things the honourable member is saying. Some of the things he is saying are quite meaningful. Members from the Conservative party have put forward some views that could help the situation as well. On the other hand, I do not believe there are easy, quick-fix solutions to these problems.

Getting to the specific case of Goodyear, it seems to be apparent that what took place and what transpired were machinations of the marketplace, of the stock exchange, of one company

chasing another. This is of a great deal of concern. It is also something that we are looking at.

Mr. Warner: Bay Street leeches.

Mr. Cordiano: It is happening in the United States. It is probably beyond boundaries that we can call our country. It is an international phenomenon. It is taking place throughout the world.

It should concern us particularly in reference to our country because concentration has a greater impact as a result of the small economy we have in this country. The market that is available in this country is spread throughout the country, across this great, vast land. This has caused a great deal of concentration over the years. Others have looked at this over the past number of years. To be factually correct, a number of federal and provincial committees have looked at this question for a number of jurisdictions. There are no easy answers.

Mr. Warner: There are some.

Mr. Cordiano: There are some indeed. We have been looking at this question recently in one of the committees I am a member of, the standing committee on finance and economic affairs. It has been made reference to by a number of enlightened persons over the years. They have made a number of recommendations, but there are no quick fixes to this.

As well, looking at the situation vis-à-vis the trade question, with regard to free trade and the entire debate that has transpired over the years, this in large measure deals directly with the kind of situation we are facing today with the plant closing at Goodyear. To suggest that the government of Ontario should and could take over the plant would not be correct. I am not saying anybody has suggested it. I am not saying anyone here has suggested it. However, there is that extreme point of view and there is another point of view whereby we might meet with company officials. The minister will be meeting tomorrow with senior company officials from the US. What we are doing is giving inducement and incentive to the company to maintain its operation in this province.

I am all for that if it saves jobs that could possibly be lost. On the other hand, with specific reference to Goodyear, this is a move initiated by the corporate headquarters as a result of extraneous factors that go beyond the boundaries of this country.

Mr. Warner: Paper shuffling.

Mr. Cordiano: Of course it is paper shuffling. If the member is suggesting that we should have a law to prevent this from occurring, he should tell me how to prevent this from occurring overseas. Can we dictate to firms overseas? Can we dictate to these multinationals?

Mr. Warner: They do in Germany and Sweden.

Mr. Cordiano: That is fine. On the other hand, we are faced here with the possible lifting or removal of jobs throughout our provincial economy that are very important. I think the minister will make every effort. I know that for a fact.

I want to comment on some of the remarks made by members of the opposition that this government has not been progressive in its view and outlook and has not been progressive in its legislation.

Mr. Warner: It has done zero.

Mr. Cordiano: That is patently untrue. The member knows that. We have moved forward on a number of important pieces of legislation. In fact, the Attorney General has just introduced pay equity, which is a very progressive piece of legislation. The member knows and I know that this will move this province forward in a very progressive and reform-minded way. Any objective bystander will say that.

17:40

There are a number of issues that need to be resolved in the future, a number of important initiatives that I guarantee this government will take. On the other hand, we have taken a number of important initiatives, as I have stated, and we will continue to do so because we are a progressive-minded party. Situations that come up in the future will be dealt with through a progressive type of reform legislation that we have already initiated.

Mr. Warner: When?

Mr. Cordiano: We are doing our best. As the member was saying, the pressure the third party is bringing to bear to move forward is certainly not warranted, because we have been moving forward as quickly as possible. This House and this government have dealt with a number of important issues.

Mr. Barlow: Does the member really believe all that?

Mr. Cordiano: Certainly, I believe it because I know it to be true.

Mr. Cureatz: I am pleased to have this opportunity to participate in this debate and I

want to give a different perspective in terms of what has taken place so far. In my particular riding, which runs roughly from the city of Oshawa towards Port Hope and further north, we have a Goodyear Canada plant located in the former town of Bowmanville, all of which is now under the regional government referred to as the town of Newcastle.

I can tell the members of the anxiety, the frustrations and the concerns those workers, now more than 1,500 people have lost their jobs, are going through. In the Bowmanville community, Goodyear has been a very responsible and good corporate citizen. It has been there for a number of years. It has had a good rapport in terms of its interest in the community, beyond the manufacturing of its particular products. It has been involved.

By the same token, however, a number of years ago, we did have a move of a division of the Goodyear plant to another community in southern Ontario, and that had an impact on our area. It is not as drastic as what is taking place now with 1,500 people, but it had an impact in terms of men and women losing their jobs and on the community. There was frustration because Goodyear is a major employer in our area.

In the past number of years in this assembly, I have learned something about these shutdowns. It is an old saying, "Here we go again." I am a little sympathetic with the member for Etobicoke (Mr. Philip) in terms of the frustration he described. I would like to bring to the attention of the member for Downsview (Mr. Cordiano), who has not had the privilege of sitting in this chamber for the length of time I have, that we have been through this already and, embarrassingly enough, we went through it when we were the government.

We had the select committee on plant shutdowns and employee adjustment, and I had the opportunity of sitting on that committee with a number of colleagues who are still in the assembly. I can think of the member for Hamilton East and the member for Prince Edward-Lennox (Mr. Taylor). We sat on that committee investigating, among other things, the SKF plant—a ball-bearing manufacturing company from Sweden—in Scarborough in the riding represented by the member for Scarborough East (Mr. Fulton); and two plants that make wiring to be put into new automobiles, one in the St. Catharines area and one in Windsor. We had their executives come before that committee to explain their situation in terms of the shutdown. It was a great Donnybrook with respect to the

rapport among politicians, those corporate executives and the employees who had lost their jobs.

A report was submitted, and I hasten to add I believe on some particular shelf there is a bit of dust gathering on that report. I want to say to the minister, whom I respect very much, that we in this assembly should learn from the kind of incident that has already taken place that we can no longer afford to lurch from shutdown to shutdown in this province. It affects too many things. It affects directly the people who are employed. There are the anxieties of the families about paying mortgages and taxes and feeding the dependants who rely on the individuals who work at the plant. It affects the community in terms of the social programs and activities a corporation is responsible for. It affects the municipal government and the tax structure and it affects the provincial and federal governments in instances where there have been government grants.

What is the solution? I wish I could look into a crystal ball and come up with a magic formula. I cannot but I suggest that maybe we are going to have to take another run at this. Why not have a select committee, not necessarily to look specifically at the Goodyear shutdown? I know we cannot wave a magic wand, but we should take a look, as the third party has indicated, at other jurisdictions, possibly at western Europe, in terms of the kind of rapport between corporations and all levels of government and the specific people who are affected—if the third party is listening, the unions that are affected.

I want to tell the members of this House that for too long I have witnessed, time and time again, a knee-jerk response in regard to plant shutdowns. We have a debate in this chamber and for one whole afternoon it is the focus of television cameras. We have people watching at home. There is the press gallery. We will be driving home this evening listening to the radio. Tomorrow morning we will read in the newspapers about the debate that has taken place in the chamber. However, let us face facts. Nothing further is going to result from it.

I give credit to the minister who will be approaching the executives of Goodyear in Canada and the United States, but the writing is on the wall. He is not going to have much influence. Because of his stature representing the government of Ontario, he may be able to squeeze from them a package that will be monetarily beneficial to the employees in terms of retirement and severance pay and in terms of a

continuation of trying to place employees who have lost their jobs with other corporations.

I tell the minister and this government that the Conservative party has been there before. I like to think that I am taking a responsible position with regard to my remarks. I want to refresh the memories of the members on the Liberal side, more particularly the members of the government, and remind them that we can no longer bounce from shutdown to shutdown. There has to be a package. There has to be a formula, a step-by-step process so that in the event there is a possibility of a major plant shutdown these formulas can be worked out.

Goodness knows, the Attorney General announced a formula today in terms of pay equity legislation that plants employing fewer than 10 people would not be subject to the legislation. There has to be a formula, a step-by-step process so that in the event a corporation of a particular size is considering immediately axing its plant, it will have to contact the various people who have to be taken into consideration.

It might go against the grain of the great corporate structure and the free enterprise system, but we now are all based in a community that is tied together, be it socially or economically or in community spirit. We can no longer afford these actions by the great corporate citizens. They affect the livelihood of too many people and of all our communities together.

I remind the minister that we have to follow a step-by-step process. We will give him time to devise the formula. We should let all members of the assembly structure a committee so that we can look at the kind of formula. I am not necessarily saying the government has to take credit for it. As individuals who are concerned about these major shutdowns where so many people are affected, let us take on the responsibility of coming up with a formula to ensure that if the plant has to shut down, we can determine the least impact in terms of people who have to be retrained, of the benefit packages and of the possibility of government stimulation with grants, provincially and federally and possibly municipally, to keep the plant going.

17:50

I remind all members of this assembly that we have seen it all before. Although the member for Downsview has left the chamber, I am sure he will be reading my remarks later this evening in Instant Hansard or replaying the television video scan so he can listen to my remarks. I want him to know that, as sure as I am here—until the next election, possibly—if we do not devise a plan

now, within six months to a year there will be another major plant shutdown and we will be going through the same kind of emergency debate. It will be highly focused for a maximum of two days, and then we will all forget about it, because we have other pressing issues in our ridings or the issue of the day.

That is not good enough. This is the opportunity for all the government members to take some leadership, with the help of all members of the chamber, to devise a formula whereby we can become more adjusted to the kinds of drastic impacts that have taken place in our province.

Mr. Morin-Strom: I am pleased to make a few final comments for our party on this important debate. I am surprised the debate is being proposed by the party to my right, the Progressive Conservative Party—at least in name.

I was amazed to hear some of the comments from the last few speakers. The member for Durham East (Mr. Cureatz) wants to resurrect the plant shutdown committee so that we can look into the actions of these corporate conglomerates and how they might be hurting employees of the province. The member for Hamilton East laid out quite clearly earlier in the debate what happened the last time we had a plant shutdown committee, which was during the last minority government under Conservative rule in the early 1980s. When the Conservatives achieved a majority government in 1981, the committee was quickly shut down and all the recommendations that came out of it went into the dust pile. That was the end of any action from that party on an issue such as this.

At the same time, we have the Liberal Party running the government and moving into the former Conservative position of talking nicely but doing absolutely nothing about a situation. The last Liberal speaker, the member for Downsview, made the comment that we do not want to make this debate ideological. To me, that is just an interpretation. They do not really want to make a distinction between themselves and the Conservatives. They are interchangeable, and we do not want to have to look to what possible ideology there is between the position the former government had and the position the new government has. As Twiddle Dee and Twiddle Dum switch positions once they are in power, there is no action whatsoever.

The situation facing Goodyear tire rubber and its employees in Metropolitan Toronto is a severe one. The threatened layoff of more than 1,500 is something to which I can relate well. Last April, Algoma Steel made an announcement of major

layoffs and down-sizing of its operations. Its plans as well accounted for 1,500 jobs being lost by mid-year next year. Our community is still trying to react to that situation and do something to ensure that as many of those jobs as possible are protected.

In this situation, everyone is involved. The complete plant is being shut down. The incredible situation here is certainly different from that of Algoma Steel, a company that has been losing money and having difficult times. Goodyear has been a profitable company and continues to be operating a profitable plant in Etobicoke.

The company's action is solely the result of a takeover bid by a British financier, Sir James Goldsmith. That is quite a situation. We have a company trying to protect itself from a takeover bid, spending hundreds of millions of dollars, if not billions, to fight off the takeover bid, and who is going to finance it? It is going to be the workers. In this situation, it means all the workers at this major plant in southern Ontario, a situation in which the company likes to highlight the fact that the plant is 69 years old without discussing the fact that the plant was modernized, with government subsidization, back in 1980 to make it the modern and profitable plant it is today. That modernization program was financed by the Conservative party to our right, which was in government at that time, and it involved extracting union concessions as well as part of the package to reactivate and revitalize that plant.

The result is that now the plant is going to be shut down, with no recourse, apparently, for the workers in the community who are involved. There has been no discussion or consultation. The workers are being taken advantage of to finance an activity that is not even taking place in our country.

There is certainly a serious question here about why all our auto plants are owned outside Canada and why we cannot have a Canadian-owned auto company. One of the things this government has to look at seriously is the possibility that we look for a Canadian operation in the future to move in and take over this plant, because if it is a profitable one, why should we be buying tires from foreign manufacturers who are jerking us around in this fashion when we could be buying our tires right here in Canada from a plant that is producing them under Canadian ownership?

It is time that we put some controls on major industrial enterprises to guarantee that they take responsibility for their actions, responsibility not only to the shareholders or to fighting off major

shareholders, as in this case, but also responsibility to the workers, the community and the consumers whom they are trying to serve.

I would like to bring up the fact that there is the possibility of action in this case. If the Liberals had acted on the agreement that was signed by the Premier nearly a year and a half ago, we might well have solved this problem and be in a situation where we would have some protection for those workers.

The accord signed with the Liberals included a provision that there be "Reform of job security legislation, including notice and justification of layoffs and plant shutdowns and improved

severance legislation." We have not seen a single piece of action on any of that, an item that is of vital importance to the workers of this province, the types of protections that have already been tried and proved in western Europe. We are not looking for a quick fix that is unrealistic. We have examples of countries that have had protections in place for years, and it is time this government went back to the promise that has been broken to this point and brought forward some legislation that will protect the workers of this province.

The House adjourned at 5:59 p.m.

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

NORTHERN DEVELOPMENT FUND

296. Mr. Gordon: Would the acting Minister of Northern Development and Mines provide information as to the total amount of moneys that have to date been disbursed out of the \$100-million development fund for northern Ontario announced October 24, 1985, by the minister; what specific programs have been established to disburse these funds; to what specific institutions, companies and communities have these funds already been distributed; how much has been distributed; when was the allocation made; and for what purpose was the allocation made? [Tabled May 22, 1986]

Hon. Mr. Peterson: Of the \$100-million, five-year northern development fund, \$3 million was immediately provided to my ministry in the form of a supplementary estimate as an interim extension of the very successful Nordev program. These funds were disbursed in 1985-86. An additional \$17 million has been included in the estimates of the ministry for disbursement in 1986-87 on other northern development initiatives. This is in recognition of the fact that cash flow in the first year of such a program will be slow owing to the lead time required for planning and development.

As of May 22, 1986, no disbursement of funds other than on Nordev had taken place. As of May 22, 1986, final approval was given to northern development councils, \$1,342,000. Several other projects have since been approved.

EDUCATION FUNDING

384. Mr. Davis: Would the Minister of Education provide copies of all capital expenditure forecasts for 1986-87 submitted to the ministry by all of the province's school boards? [Tabled October 14, 1986]

See sessional paper 234.

HIGH TECHNOLOGY COUNCIL

397. Mr. Gillies: Would the Premier provide the following information with regard to his high technology council: all members, including previous positions, criteria for members, date of council formation, dates and times of all meetings; purpose, recipient and amount issued for all grants; and a detailed breakdown of all administrative costs? [Tabled October 16, 1986]

Hon. Mr. Peterson: The members of the Premier's Council and their positions are as follows:

David Beatty, president, food processing group, Weston Food/Loblaw, Toronto; Dr. Roberta Bondar, Canadian astronaut program, National Research Council, Ottawa; Ed Clark, senior vice-president, corporate finance, Merrill Lynch, Toronto; Susan Eng, international lawyer, Blaney, McMurtry, Stapells, Aarons and Watson, Toronto; Robert C. Franklin, president, Ontario Hydro, Toronto; Leo Gerard, director, District 6, United Steelworkers of America, Toronto;

Helmut Hofmann, president, Devtek Corp., Markham; Norman Kissick, chairman and chief executive officer, Union Carbide Canada Ltd., Toronto; Bernd K. Koken, president and chief operating officer, Abitibi-Price, Toronto; Adrienne MacLaughlin, vice-president academic, Algonquin College, Nepean; Patrick Monaghan, president, Marshall, Macklin, Monaghan, Don Mills; Dr. J. Fraser Mustard, president, Canadian Institute for Advance Research, Toronto;

Hon. Robert Nixon, Treasurer of Ontario and Minister of Revenue, government of Ontario; Hon. Hugh O'Neil, Minister of Industry, Trade and Technology, government of Ontario; George Peapples, president and general manager, General Motors of Canada Ltd., Oshawa; P.J. (Paul) Phoenix, president and chief operating officer, Dofasco Inc., Hamilton; Fred Pomeroy, president, Communication and Electrical Workers of Canada, Ottawa; Robert Rosehart, president, Lakehead University, Thunder Bay;

Hon. Greg Sorbara, Minister of Skills Development and Minister of Colleges and Universities, government of Ontario, Toronto; Bonita J. Then, vice-president and treasurer, Guaranty Trust, Toronto; David G. Vice, president, Northern Telecom Ltd., Mississauga; Dr. Geraldine Kenney-Wallace, professor of chemistry and physics and chairman of the research board, University of Toronto, Toronto;

Donald C. Webster, chairman of the board, Helix Investment Ltd., Toronto; Robert White, president, Canadian Auto Workers Union, North York; Peter Widdrington, president and chief executive officer, John Labatt Ltd., London; Douglas Wright, president, University of Waterloo, Waterloo; Hon. William Wrye, Minister of

Labour, government of Ontario; and Moses Znaimer, president, CITY-TV, Toronto.

The Premier's Council encompasses cabinet ministers and leaders in the fields of labour, business and post-secondary institutions. Members are chosen for the leadership they have shown in their fields of expertise and for their capacity to provide guidance and advice to the government on long-term economic development strategies and on technological growth and innovation. Council members are chosen for staggered terms of one to three years.

The Premier's Council was announced in the speech from the throne on April 22, 1986. The members of the council were announced on July 9, 1986. Meetings were held on July 10, 1986, September 4, 1986, and October 16, 1986, from 9 a.m. to 12 noon.

To date, \$114,645 has flowed from the technology fund to the university research incentive fund. It is estimated that \$2 million will flow to the URIF in 1986-87. The URIF matches, dollar for dollar, eligible investments by the private sector in university contract research.

To date, administrative costs for the Premier's Council are as follows: salaries and wages, \$44,200; employee benefits, \$7,100; transportation and communications, \$2,100; supplies and equipment, \$46,300; total, \$99,700.

RETIREMENT OF CLERK

398. Mr. O'Connor: Would the Attorney General table all documentation provided as a legal opinion to the government regarding a suitable severance package for Roderick Lewis? [Tabled October 16, 1986]

Hon. Mr. Scott: The requested documentation is as follows:

Memorandum dated April 24, 1986, to Elizabeth Aboud, director, benefits policy branch, Ministry of Treasury and Economics, from Graham Stoodley, director, office of legal services, Ministry of Treasury and Economics, re Position of the Clerk of the Legislative Assembly.

On December 20, 1974, amendments to the Legislative Assembly Act were assented to. These amendments created the Office of the Assembly and gave it legislated, formal structure.

Subsection 74(1) of the Legislative Assembly Act now provides that the Clerk of the Legislative assembly is to be appointed by the Lieutenant Governor in Council. Subsection 74(2) provides that the Clerk is appointed "during good behaviour" and may be removed by the Lieuten-

ant Governor only on the address of the assembly. In effect, the Clerk is appointed for life in the same way that judges used to be appointed, and he cannot be removed from office except by a vote by the assembly.

Section 90 of the Legislative Assembly Act provides that the employees of the Office of the Assembly, including the Clerk, are to participate in the public service superannuation fund as though they were designated under section 28 of the Public Service Superannuation Act. In effect, this is a statement of the Legislature that the employees of the Office of the Assembly belong to the public service superannuation fund and are, to the extent possible, bound by the provisions of the Public Service Superannuation Act.

Earlier in 1974, an order in council had been passed granting the rank and status of deputy minister to the Clerk of the Legislative Assembly. At this time, the Clerk was still a public servant to whom the Public Service Act applied.

On December 20, 1974, however, the Ministry of Government Services, the ministry then responsible for the Clerk of the Legislative Assembly, gave a notice of separation indicating the separation of the Clerk of the Legislative Assembly from the public service. In addition, the estimates for the Office of the Assembly show that matching contributions to the superannuation fund are provided for the Office of the Assembly out of the money appropriated by the Legislature. This procedure is in accordance with the Public Service Superannuation Act, where a section 28 designation has taken place. The crown in such cases does not match the contributions of public servants to the public service superannuation fund. Instead, the designated agency makes the matching contribution out of its resources.

My reading of the Legislature's intention in making the amendments to the Legislative Assembly Act in 1974 is that it was intended that the staff of the Office of the Assembly, who had previously been public servants, would cease to be public servants within the meaning of the Public Service Act and would thereafter be dealt with as servants of the assembly amenable only to the direction, discipline and salary recommendations of the Speaker. Thus, they came directly under the control of the assembly itself. This reading is borne out by action taken by the Ministry of Government Services when the amendments passed and the separation of Mr. Lewis from the public service at that time.

Shortly after the amendments to the Legislative Assembly Act, Mr. Lewis turned 65 years of age, but he continued to remain employed as Clerk of the Assembly because the Public Service Act had ceased to apply to him and because subsection 74(2) of the Legislative Assembly Act, as it now stands, provided that he held office during good behaviour. For the same reasons, he has continued to be employed as Clerk of the Assembly.

Under subsection 7(2) of the Public Service Superannuation Act, contributions to the Public Service Superannuation Fund ceased when Mr. Lewis attained age 70. Under subsection 11(4) of the Public Service Superannuation Act, Mr. Lewis does not, however, become entitled to an allowance under that act until the month after he retires.

The provisions of section 16 of the Public Service Superannuation Act do not apply to Mr. Lewis because he is not a public servant and is not employed as a public servant by the assembly. Consequently, there is no entitlement to a recalculation of his allowance on the basis of contributions he has made after he ceased to become entitled to contribute to the fund when he reached age 70. I presume he has made no such contributions, in any case, but his entitlement to an allowance did not begin when he ceased to be a contributor, and it will not begin until he retires from his position. His public service superannuation entitlement will remain frozen at the level provided for under the Public Service Superannuation Act, and since that level depends on "contributory service," he will not receive credit for the years of salary paid to him after he

attained age 70 and ceased by law to be an eligible contributor to the fund.

AGRICULTURAL IMPORTS

401. Mr. Treleaven: Would the Minister of Agriculture and Food provide a complete list of all agricultural products currently being imported into the province which could be grown in Ontario? [Tabled October 21, 1986]

Hon. Mr. Riddell: In 1985, agricultural and food imports into Ontario were valued at \$2.97 billion, down from the 1984 level of \$3 billion. For the first six months of 1986, agriculture and food imports into Ontario were valued at \$1.58 billion, up slightly from the same period in 1985 (\$1.5 billion).

A list of agriculture and food imports follows. This list and further analyses are available in the free ministry publication number 20, 1985 Agricultural Statistics for Ontario.

The determination of what imports are replaceable by provincial products is dependent upon several factors: physical capability, cost, price, market acceptance, brand-name differentiation and availability of competing products.

To address this complex concern, the ministry is providing direct and indirect financial/extension support to encourage import replacement. Such support would include Foodland Ontario advertising, shared promotional expenditures with marketing boards, financial assistance to improve quality and competitiveness as through the new fruit and vegetable quality program, the small food processors program or the Ontario pork industry improvement program.

**Table 27 – Agricultural and Food Imports by Commodity Group
Ontario and Canada, 1984 and 1985**

	1984			1985		
	Ontario	Other Provinces \$000	Canada	Ontario	Other Provinces \$000	Canada
Live animals	41,001	16,696	57,697	56,666	17,682	74,348
Meat	186,950	191,734	378,684	178,349	198,950	377,299
Poultry and eggs	75,176	34,958	110,134	69,056	35,869	104,925
Dairy products	58,144	54,743	112,887	51,559	57,173	108,732
Other animal products	173,500	172,253	345,753	152,660	213,070	365,730
Grains	72,922	82,622	155,544	64,401	78,181	142,582
Animal feeds	38,225	47,156	85,381	42,305	53,798	96,103
Fruits and nuts	628,499	808,574	1,437,073	670,053	805,320	1,475,373
Vegetables	303,008	443,505	746,513	312,857	439,156	752,013
Seeds for sowing	34,492	22,720	57,212	37,279	25,867	63,146

	1984			1985		
	Ontario	Other Provinces \$000	Canada	Ontario	Other Provinces \$000	Canada
Oilseeds	131,682	48,099	179,781	92,357	51,189	143,546
Oilseed products	208,495	171,473	379,968	190,477	141,055	331,532
Grain products	124,852	86,293	211,145	107,590	86,115	193,705
Vegetable fibres	55,308	76,239	131,547	49,095	42,155	91,250
Plantation crops	286,500	599,834	886,334	293,038	550,702	843,740
Sugar and confectionery	191,072	222,088	413,160	223,192	209,756	432,948
Nursery stocks	56,016	53,276	109,292	60,445	54,503	114,948
Beverages	150,380	262,144	412,524	142,691	279,265	421,956
Tobacco	15,102	27,189	42,291	11,971	20,471	32,442
Other agricultural products	171,267	134,782	306,049	168,795	135,080	303,875
Total	3,002,591	3,556,378	6,558,969	2,974,836	3,495,357	6,470,193

Source: Statistics Canada, external trade division.

POLICE PURSUITS

404. Mr. Sterling: Would the Solicitor General provide the following information for Ontario for the years 1983, 1984, 1985 and 1986: the number of fatalities resulting from police chases involving automobiles, the number of injuries sustained from police chases involving automobiles and the offence being investigated at the time of each police chase involving automobiles? [Tabled October 21, 1986]

Hon. Mr. Keyes: The information requested for the years 1983, 1984 and 1985 follows. Please note that the data on reasons for commencing a pursuit are broken down in somewhat more detail than in the previous two years as a result of more specific reporting requirements on pursuits.

Data for the current year are still being compiled and will be available on or about February 1, 1987.

Police Pursuit Statistics 1983-85

	1983	1984	1985
Number of fatalities resulting from police pursuits	7	5	7
Number of injuries resulting from police pursuits	130	160	160
Reason given for commencing pursuit			
Careless or dangerous driving	279	238	159
Impaired driving	180	129	136
Stolen vehicle	172	108	130
Suspect serious criminal offence	22	42	47
Leaving the scene of an accident	24	—	15
Break and enter			11
Wanted person			23
Suspended driver	31	27	31
Fail to obey police/fail to stop for police	} 282	} 162	103
Disobey traffic signal/sign			34
Speeding	441	478	358
Other (i.e. Highway Traffic Act infractions, infractions involving off-road vehicles, invalid sticker, unnecessary noise, no lights, etc.)	222	349	235

HIGHWAY TRAFFIC ACT

449. Mr. Bernier: Would the Minister of Transportation and Communications indicate the number of charges laid during the past five years under subsections 59(1) and (2) of the Highway Traffic Act? [Tabled October 30, 1986]

Hon. Mr. Fulton: The Ministry of Transpor-

tation and Communications does not receive any information regarding the number of charges laid under the Highway Traffic Act. However, the number of convictions registered is collected by MTC, and the records indicate there were no convictions under subsections 59(1) and (2) of the Highway Traffic Act during the past five years.

CONTENTS

Monday, November 24, 1986

Members' statements

Arts funding, Mrs. Marland	3547
Tariffs on softwood lumber, Mr. Wildman	3547
Reading machines for the blind, Mr. Newman	3547
Tariffs on softwood lumber, Mr. Pierce	3548
Social assistance, Mr. R. F. Johnston	3548
Grants to Wellington South, Mr. Ferraro	3548
Organ donations, Mr. Andrewes	3548
Death of former member, Mr. Grossman, Hon. Mr. Scott, Mr. Martel, Mr. Morin-Strom	3549

Statements by the ministry and responses

Pay equity legislation, Hon. Mr. Scott, Mr. Gillies, Mr. Rae, Ms. Gigantes	3551
Assistance to farmers, Hon. Mr. Riddell, Mr. Stevenson, Mr. Hayes	3555

Oral questions

Plant shutdowns, Mr. Grossman, Hon. Mr. O'Neil, Mr. Rae, Mrs. Grier	3556
Pay equity legislation, Mr. Rae, Hon. Mr. Scott, Ms. Gigantes	3558
High-technology fund, Mr. Grossman, Hon. Mr. O'Neil	3559
Nursing homes, Mr. D. S. Cooke, Hon. Mr. Elston	3559
Alcohol on OPP boat, Mr. Harris, Hon. Mr. Keyes	3560
Adult education, Mr. Allen, Hon. Mr. Conway	3560
Alcohol on OPP boat, Mr. Harris, Hon. Mr. Keyes	3561
Insurance rates, Mr. Wildman, Hon. Mr. Kwinter	3561
Hydro rates, Mr. Andrewes, Hon. Mr. Kerrio	3562
Assistance to farmers, Mr. Hayes, Hon. Mr. Riddell, Mr. Stevenson	3562
Occupational health and safety, Mr. Martel, Hon. Mr. Wrye	3563
Stabilization payments, Mr. Stevenson, Hon. Mr. Riddell	3564
Municipal taxation, Mr. Grande, Hon. Mr. Grandmaître	3564
Assistance to refugees, Ms. Hart, Hon. Ms. Munro	3565
Drug Benefit Formulary, Mr. Jackson, Hon. Mr. Elston	3565

Petitions

Day care, Mr. Bernier, tabled	3567
Equality rights legislation, Mr. D. R. Cooke, tabled	3567

Motions

Withdrawal of Bill 68 , Hon. Mr. Nixon, agreed to	3567
Private members' public business , Hon. Mr. Nixon, agreed to	3567

First readings/Première lecture

Pay Equity Act , Bill 154, Hon. Mr. Scott, agreed to	3567
Loi portant établissement de l'équité salariale , loi 154, l'hon. M. Scott, adoptée	3567
Simcoe Day Act , Bill 155, Mr. McLean, agreed to	3567
Securities Amendment Act , Bill 156, Hon. Mr. Kwinter, agreed to	3567

Private member's motion

Motion to set aside ordinary business , Mr. Brandt, Mrs. Grier, Hon. Mr. Nixon, agreed to	3568
Plant shutdowns , Mr. Brandt, Mr. Rae, Hon. Mr. O'Neil, Mr. Gillies, Mrs. Grier, Mr. Henderson, Mr. Davis, Mr. Mackenzie, Mr. Ferraro, Mrs. Marland, Mr. Philip, Mr. Cordiano, Mr. Cureatz, Mr. Morin-Strom	3570

Other business

Member's comments , Hon. Mr. Nixon, Mr. McClellan, Mr. Speaker	3551
Visitor , Mr. Speaker	3556
Tabling of information , Mr. Wildman	3556
Use of government offices , Mr. Breagh	3556
Answers to questions in Orders and Notices and reponses to petitions , Hon. Mr. Nixon, tabled.	3568
Adjournment	3591

Appendix**Answers to questions in Orders and Notices**

Northern development fund , question 296, Mr. Gordon, Hon. Mr. Peterson	3592
Education funding , question 384, Mr. Davis, Hon. Mr. Conway	3592
High-technology council , question 397, Mr. Gillies, Hon. Mr. Peterson	3592
Retirement of Clerk , question 398, Mr. O'Connor, Hon. Mr. Scott	3593
Agricultural imports , question 401, Mr. Treleaven, Hon. Mr. Riddell	3594
Police pursuits , question 404, Mr. Sterling, Hon. Mr. Keyes	3595
Highway Traffic Act , question 449, Mr. Bernier, Hon. Mr. Fulton	3596

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Bernier, L. (Kenora PC)
 Brandt, A. S. (Sarnia PC)
 Breagh, M. J. (Oshawa NDP)
 Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
 Cooke, D. R. (Kitchener L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cordiano, J. (Downsview L)
 Cureatz, S. L. (Durham East PC)
 Davis, W. C. (Scarborough Centre PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)

Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Ferraro, R. E. (Wellington South L)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Grande, T. (Oakwood NDP)
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Haggerty, R. (Erie L)
Harris, M. D. (Nipissing PC)
Hart, C. E. (York East L)
Hayes, P. (Essex North NDP)
Henderson, D. J. (Humber L)
Jackson, C. (Burlington South PC)
Johnston, R. F. (Scarborough West NDP)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Mackenzie, R. W. (Hamilton East NDP)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McLean, A. K. (Simcoe East PC)
Morin-Strom, K. (Sault Ste. Marie NDP)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Rae, R. K. (York South NDP)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Scott, Hon. I. G., Attorney General (St. David L)
Stevenson, K. R. (Durham-York PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Ward, C. C. (Wentworth North L)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)





No. 69

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Tuesday, November 25, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 25, 1986

The House met at 1:30 p.m.

Prayers.

ANNUAL REPORT, OFFICE OF THE PROVINCIAL AUDITOR

Mr. Speaker: I beg to inform the House that I am today laying upon the table the annual report of the Provincial Auditor of Ontario for the year ended March 31, 1986.

USE OF GOVERNMENT OFFICES

Mr. Sheppard: On a point of privilege, Mr. Speaker: I am rising to make a statement regarding the incident brought to the attention of this House yesterday by a member of the third party with respect to a member of my Queen's Park staff, Miss Jan Larabie.

The majority of members believe in and support free enterprise. Jan is also a firm believer in free enterprise. Unfortunately, in her excitement she reacted indiscreetly and perhaps overzealously. I assure the House that I have looked into this incident thoroughly and appropriate action has been taken to ensure that further occurrences of this nature will not be repeated.

MEMBERS' STATEMENTS

HIGHWAY CONSTRUCTION

Mr. Gordon: My statement is addressed to the Premier (Mr. Peterson), who is also Minister of Northern Development and Mines. At this time, I offer the Premier the following advice:

In the north, we are mystified about why he has taken the attitude that four-laning in northern Ontario will not occur until development exists in the various communities. Surely he recognizes that one of the key reasons people in southern Ontario have the kind of economy they have and the opportunity of their types of roads is four-laning. When this government came to power, it stopped four-laning Highway 400 just before Penetanguishene. This is a very negative approach to the north and it is one that is hurting us.

When one looks at Sudbury and sees the tourism potential, the potential for light manufacturing and parts, and the potential for the safety of northerners on the highway from

Sudbury to Toronto, and thinks that the Premier, who is now the Minister of Northern Development and Mines, would not speak up for the residents of northern Ontario, it is absolutely shameful. I ask the Premier to reverse himself on this very negative attitude and begin four-laning Highway 400 to Sudbury.

WORKERS' COMPENSATION BOARD

Mr. McClellan: On July 7, 1986, I asked the Minister of Labour (Mr. Wrye) a question about the treatment of two nurses by the staff of the Downsview rehabilitation centre of the Workers' Compensation Board.

In summary, the two nurses, Ms. Anne Fallis and Ms. Geraldine Kelly were discharged last June from the centre on political grounds rather than medical grounds. They were discharged by medical staff of the centre as being medically fit to return to their regular occupations, despite the fact they were not given medical examinations as the basis of a discharge diagnosis.

They were discharged because, first, they had the audacity to raise questions with both the administrative staff and other patients at the centre about the adequacy of the so-called rehabilitation programs at the centre. As professional nurses, they were quite simply shocked at the lack of meaningful individualized rehabilitation programs. Second, they had distributed copies of a Toronto Star article containing some criticisms of the Workers' Compensation Board of Ontario. The decision to discharge these patients prior to a normal medical examination is a shocking instance of a deep malaise at the Downsview rehabilitation centre.

Equally shocking is the failure of the Minister of Labour to honour his promise to this House to reply to my question, a promise made in July 1986. There is something rotten at the Downsview rehabilitation centre and the Minister of Labour appears to be trying to cover it up.

WAFERBOARD PLANT

Mr. Ramsay: In early June, the Premier (Mr. Peterson) asked Dr. Bob Rosehart to study the situation at the waferboard plant in Thunder Bay owned by Great Lakes Forest Products Ltd. This followed a series of discussions the Premier and

other ministers had with company management and union representatives. The government's determination was to see whether all those involved would co-operate so that the plant could be reopened. Dr. Rosehart provided a progress report in mid-August, which was made public.

Now there is a further progress report, as some will have noted in an article in Monday's edition of the Thunder Bay Times-News. Dr. Rosehart has secured formal written agreement from the company and its three unions to proceed to the next steps in a process designed to result ultimately in a modernized and reopened plant. In addition, the process of ensuring an economical and sustained supply of wood for the mill is well in hand as a result of a recent meeting between Great Lakes and Ministry of Natural Resources staff.

There are other issues to be addressed. Some will involve a supportive role for government. I am confident the Premier will respond positively in such cases, recognizing not only the importance of the jobs at this plant but also the unprecedented display of flexibility and concern shown by those involved in the discussions at Thunder Bay. We have here the potential for an exciting breakthrough and we all hope the momentum achieved to date will carry this through to success.

GASOLINE PRICES

Mr. Bernier: Now that Old Man Winter has begun to settle in across northern Ontario, living expenses are rapidly climbing higher and higher. It is a time when people have to let their cars, snowmobiles, tractors and other necessary vehicles run longer to warm up. It is a time when machinery runs less efficiently while working harder to overcome the excesses of temperature. It is a time when all fuel expenses run higher than anywhere else in Ontario.

In northern Ontario, one question is being asked again and again: where is that gas price equalization policy promised by this government? Surely all members remember the gas equalization policy so broadly announced from the depths of the Liberal campaign bus a full year and a half ago. We have to assume that they remember something about it, because they followed up the announcement with at least two of their now famous studies.

This government has had one and one half years to address this issue and to honour this promise to northern Ontario. Now that it has its hands on the purse-strings, why has the government flip-flopped again? Why is this government

shirking its responsibilities by studying, rather than equalizing, escalating gas prices in northern Ontario? Another commitment to northern Ontario has been forgotten.

NURSING HOMES

Mr. Wildman: Today we have tabled in the assembly the annual report of the Provincial Auditor. In items 4.3 and 4.6, we find that this new government is just more of the same. What is most alarming is the fact that in dealing with questions of inspections in the homes for the aged across the province or in funding health care, this government has failed to meet its responsibilities.

In the matter of the inspections of the homes for the aged, it appears the government does not believe those are its responsibility. It is going to leave them to the local authorities, even if they may not have the expertise to deal with things such as dietary inspections and health records inspections.

In terms of the funding for health care and public health agencies, the system is determined on a basis that means that if the local agency has a low base budget in the first place, it will continue to have it, even with the enrichment announced by the government. In other words, if communities in outlying areas are having a difficult time attracting professionals, and thus have to pay more, they do not have the funding, which makes it even more difficult for them to attract professionals and to meet the obligations they are to meet under the legislation.

It is most unfortunate that this government feels it cannot meet its own obligations and leaves it to the local authorities.

RESCUE OF SOVIET SOLDIERS

Mr. South: I would like today to give special recognition to the Kingston Whig-Standard for its part in the resourceful and dramatic rescue of the five Soviet soldiers from Afghanistan. This rescue and their acceptance by Canada have been done for humanitarian reasons.

It is simply amazing that a staff team from a small eastern Ontario community newspaper was able to do what the Canadian government could not or would not do. A team of Kingston Whig-Standard reporters and photographers managed to cross the border from Pakistan to Afghanistan. On this team were writer David Prosser, editor-reporter Jack Chiang and photographer Mark Pleasants.

This mission was successful; the Whig-standard team interviewed and photographed the

Soviet defectors, bringing back with them a written plea to Prime Minister Mulroney. As has been reported by the media, the Canadian government has now accepted these men and given them a hopeful future.

I am sure the House joins with me in saluting the Kingston Whig-Standard, Canada's oldest newspaper.

CYSTIC FIBROSIS

Mr. McCague: I want to bring to members' attention the passing yesterday of Kevin Denbok of Collingwood. Kevin suffered from cystic fibrosis throughout his 22 years and wanted to be a part of the solution. He was a good performer and a singer; so he made records that were given to the Cystic Fibrosis Foundation. He was able to raise more than \$200,000.

I believe we should commend this very fine young gentleman.

GOVERNMENT'S PERFORMANCE

Mr. Philip: This government has talked about being an open government. It seems to be open only when it comes to giving away personnel records of its employees and the records of the taxpayers of Ontario. It has shown that it is inadequate when it comes to managing the province.

RELEASE OF REPORT

Mr. R. F. Johnston: On a point of privilege, Mr. Speaker: I rise as a member of the select committee on health with a problem I consider to be an offence to my privilege as a member of that committee by the government and/or the government bureaucracy; I am not sure which.

On the last day the House sat in July, Mr. Speaker gave us the following reference, agreed to by all parties and passed unanimously in this Legislature: "That an interim report of the committee be submitted to the assembly not later than six months after the committee begins meeting."

We had planned to do so. Our first meeting was held in July. In August, we met with the two major ministries, the Ministry of Community and Social Services and the Ministry of Health, and asked them to provide us with information that would allow us to accumulate the data we needed so we could submit a report to the Legislature in December.

This morning our steering committee met and decided that because we have not received the information we need, there is no way we can report by the date which we have been ordered to

report by this Legislature, by agreement of all members of the House.

Mr. Speaker, I suggest to you that this has been a deliberate strategy of members of the Ministry of Health and the Ministry of Community and Social Services. To this point, we have received only four small documents from the Ministry of Community and Social Services. With reference to information from the Ministry of Health, it has deliberately failed to answer specific questions we raised in August when we asked for information.

I would like to read into Hansard an example of just one of many cases where it has not provided the information this committee needs to do its work. I raised the question of the licensing of homes for special care. I asked on August 26:

"What sort of licensing information do we have about homes for special care in comparison with the information we can get about nursing homes in terms of who are the operators, that whole listing of who owns what and what they have to go through to get a licence?"

Mr. Corder, the assistant deputy minister, responded: "I can provide you with that information, the whole tendering process. I can also get you a list of all the nursing homes in the province." Then I asked about homes for special care specifically, and he said: "I can indicate which nursing homes in the province also have a homes for special care licence. That information is available." He said he would give me lists of everything.

Instead, what we have received from the Ministry of Health, which makes it impossible for us to do our work, is the following: "Question: Which homes for special care are residential only? Of a total of 467 homes for special care in the province, 256 are residential homes and 211 are nursing homes."

We cannot do our work because the government over there is deliberately suppressing the information. Mr. Speaker, it was your order that we meet and report back to you and we are incapable of doing it. I want you to investigate it.

Mr. Speaker: I listened very carefully to the comments made by the member for Scarborough West. It appears to me that it is a matter sent from the House to a committee. Rather than being a point of privilege, I think the honourable member or any of the members of the committee could decide what type of report they would like to make to this House, and could make recommendations too; or the honourable member has the opportunity to ask the minister within the House at any time.

Mr. McClellan: Mr. Speaker, I think the point that needs to be stressed is that my colleague has raised the concern that his committee has been unable to follow an instruction of the House, which was to issue a report within six months' time. It has been unable to do it because of the systematic nonco-operation of the Ministry of Health and the Ministry of Community and Social Services in refusing to provide essential information. In my 12 years here, I have never seen such an example of systematic, flagrant nonco-operation with the work of a select committee. We are raising it here and asking you to intervene. I hope the head of the government will intervene as well and make sure that these servants of the House do their job.

Mr. Speaker: This is not the proper time to debate this matter. The member for Lincoln has a comment.

Mr. Andrewes: It is on the same point, Mr. Speaker. This committee was established after a great deal of fanfare by the government. The Legislature was very specific by the government's order that was brought into the House, which set a specific goal for the committee. I would not want to take exception to the remarks of my colleague in the New Democratic Party that it was a deliberate strategy, but those words are perhaps a bit too strong. However, I certainly support the member's views in principle that this committee cannot now meet the guidelines set out by this Legislature to bring in its interim report because the government has failed to supply the information. It has had plenty of time and it has had plenty of notice. That notice was specific and the request was specific.

Mr. Speaker: I have listened to the members carefully and I must reiterate, as Speakers have done on previous occasions, that matters arising in committees must be dealt with in committee and can, in turn, be dealt with by reporting to the House and then the House deals with the matter.

Hon. Mr. Peterson: On the same point of order, Mr. Speaker: I say to my honourable colleagues opposite that I was not aware of the issues they have raised. I will make sure the information they deem necessary is provided. I appreciate their bringing this to the attention of myself and the House.

13:49

STATEMENTS BY THE MINISTRY

THE DEVELOPMENT CORPORATIONS

Hon. Mr. O'Neil: I would like to take this opportunity to inform the House that the govern-

ment is undertaking an ambitious effort to revitalize Ontario's Development Corporations. As members are aware, these include the Ontario Development Corp., the Northern Ontario Development Corp., the Eastern Ontario Development Corp. and Innovation Ontario Corp. Together they form the Development Corporations.

In the May 1986 budget, the Treasurer (Mr. Nixon) announced that the Ontario Development Corp. would be reorganized to improve the delivery of assistance to small business. Today's announcement fulfils that budget commitment.

As members will agree, the Development Corporations play a vital role in the economy of Ontario, particularly in northern and eastern Ontario. However, the effectiveness of the accountability of the corporations has declined over the years.

The Provincial Auditor has consistently raised concerns about the operations and structure of the corporations since the late 1970s. Particular concerns relate to diffused loan accountability and monitoring effectiveness of lending operations. As a result of these and other problems, the corporations are not realizing their full potential.

The corporations' revitalization plan represents a comprehensive solution to problems that have existed since the mid-1970s. The plan's implementation, which is well under way, involves four key components.

First, regional lending operations will be expanded with the establishment of regional offices. This will significantly improve program delivery and client accessibility to the corporations.

Second, the corporations will consolidate and restructure lending operations to streamline loan approvals and administration and to improve loan accountability and supervision.

Third, the modernization of the corporations' information technology will increase productivity and speed up program delivery. Better information technology will also improve the corporations' ability to monitor the effectiveness of lending operations.

Fourth, the corporations will implement a human resource development strategy to upgrade skills and enhance financial advisory services to business.

These changes will complement the new initiatives undertaken by the corporations over the past year, including the new ventures and Innovation Ontario programs.

This revitalization plan has been given a very high priority. Corporations' staff, clients and

boards have all played an active role in the development of the new organization.

As I earlier noted, the Development Corporations play a vital role in the economic life of this province. I am confident these changes will have a significant and long-lasting benefit by improving the economic development opportunities available to all communities and regions in Ontario.

Mr. Brandt: I have a brief comment with respect to the statement of the Minister of Industry, Trade and Technology, who is now absent.

I find all too often the statements of the minister are statements of change for the sake of change and without a great deal of substance. I have not been disappointed today. The minister indicates very little by way of strengthening the services that were previously offered by ODC. There is still too much bureaucracy the minister has not addressed. The waiting period is too long in terms of applications for loans, and the qualifications that are required to qualify for loans for small business purposes have not been addressed in this report at all.

I guess the only reason we have a statement today is that the minister and his ministry were chastised in the auditor's report for lack of control in some respects as they relate to the operations of ODC.

I suggest the minister has a long way to go before he gets a handle on that ministry and on that specific function within his ministry.

Mr. Barlow: On the statement by the Minister of Industry, Trade and Technology, it is good to see, as my colleague has already pointed out, that the minister continues playing checkers with the ministry, moving personnel from one office to another. I hope that expanding the offices is not going to dilute the ability of that ministry to achieve some of the things it has set out to do and what it is mandated to do.

I am sure this initiative will be welcomed by the member for Wellington-South (Mr. Ferraro) and the committee of parliamentary assistants, which has set up one program, the new ventures program. I see this as one of the initiatives to administer that program. I am sure it will help that committee in its deliberations.

Mr. Philip: The statement of the Minister of Industry, Trade and Technology is filled with contradictions. On page 2, he says he recognizes that the Provincial Auditor has constantly raised concerns about the operation and structure of the corporation since 1970. Further down in his proposed changes, however, he does not respond

to those essential concerns that are tabled today in the report of the Provincial Auditor.

We have seen how the taxpayers' money has been squandered by this corporation and many questionable investments. The auditor has correctly pointed out that key criteria on which loan decisions were made, such as sales and profit forecasts and management ability were not critically reviewed, and unfavourable evaluations of loan applications were either in conflict with other evaluations or completely ignored in the approval process. Nowhere in this statement do we see the government coming to grips with that squandering of the taxpayers' money.

Furthermore, if one looks at the recommendations he is proposing, one sees that they are contradictory. The first one proposes that there be a decentralization. He says the regional lending operations will be expanded with the establishment of regional offices. Then, as his second point, he talks about how the corporations will consolidate and restructure lending operations to streamline loan approvals in administration and improve loan accountability and supervision.

You cannot have centralization on one hand, decentralization in the next statement and have a coherent statement. This statement is simply incoherent. It is a statement made for the sake of making a statement.

If the minister had the kindness to stay and wait for the responses to his statement, he might have been able to say why he did not respond to the legitimate concerns raised by the Provincial Auditor in his report concerning the operation and mismanagement of ODC.

Mr. Morin-Strom: I would like to add some comments to my colleague's on the statement that has been made today by the Minister of Industry, Trade and Technology with respect to the Ontario Development Corp.

I cannot understand why he would take the time to come in here for five minutes to make a statement of no substance whatsoever and then leave the House. The statement says they are going to try to revitalize these corporations. The four-point plan is a nonstatement.

The first point is that the plan is to decentralize offices by going to more regional offices. The second point suggests just the opposite in terms of streamlining and consolidating the operations.

I have concerns about the direction of this corporation, particularly with respect to northern Ontario. Over the past two years, the Northern Ontario Development Corp. has come short of its budget allocations. While the Ontario Develop-

ment Corp. has been allocating more than its budget commitments in estimates, both the Eastern Ontario Development Corp. and NODC have been starved for funds.

The commitment of this government to northern Ontario has not been evidenced at all in the management of the Ontario Development Corp. It is about time that NODC in particular was put to some use in northern Ontario and used to stimulate the northern Ontario economy by increasing the allocation of funds to the north, rather than reducing the level of funding for business development in northern Ontario.

MANAGEMENT BOARD OF CABINET DIRECTIVES

Hon. Mr. Nixon: I am pleased to announce that Management Board is today issuing a new set of management policies, which I now table.

The policies, to be known as Management Board of Cabinet Directives, succeed the Ontario Manual of Administration, volume 1, in establishing corporate practices for the administration of goods, services, equipment, employee expenses, information technology and agencies, plus a variety of management functions such as internal audit, expenditure management and manpower management and control.

These directives apply to all ministries and schedule I agencies of the Ontario government and in particular instances to schedule II and schedule III agencies.

The directives represent the first major revision to the government's corporate policies in more than a decade. Overall, the new directives place more authority for the administration of government in the hands of deputy ministers and their delegates, which we believe is where it should be.

Of course, those with authority must demonstrate that they have acted responsibly. To this end, Management Board has issued a directive that defines the accountability of the deputy head of each ministry and that of Management Board for the administration of the Ontario government.

The directives are prefaced by corporate values that underpin the development of all management policies. The values are excellence in service to the public, employees as a critical resource and excellence in management. These simple yet enduring qualities provide managers with a basis upon which to make every administrative decision.

The directives and guidelines will be distributed early in December to managers throughout the

public service. Copies are available to all members of the House, and I have sent a complete set to the offices of the House leaders and the critics for Management Board.

Mr. Philip: I would like to respond briefly to the statement of the acting Chairman of Management Board. As members know, we in the standing committee on public accounts have been asking for this statement for some time. We will be looking with considerable interest at the specifics when we have a chance to read them.

The Provincial Auditor commented in his report that the manual and some of the practices and policies remained to be reviewed. We will be looking at how the acting Chairman of Management Board is proceeding with that review and whether he will be following the Provincial Auditor's recommendations and the recommendations of the standing committee on public accounts in this regard.

FRENCH-LANGUAGE TOURISM MARKETING

Hon. Mr. Eakins: I am pleased to announce today a tourism marketing program that is the first of its kind in Ontario.

My ministry's Ontario French-language marketing program is directed specifically to French-speaking Ontarians. I am pleased that we will spend \$400,000 on this program over the next four months. We are doing so because it is good business, in keeping with our continuous effort to expand our markets.

We will reach people we have never reached before: people who already feel a tremendous pride for this province and who are eager to explore more of it. We will tell French-speaking Ontarians, en français, about the exciting vacation possibilities that exist chez nous. We are using our marketing dollars wisely. We have targeted those regions where we can reach the most Franco-Ontarians for the dollars spent.

This unique program also ties into and builds on our Quebec marketing efforts. We have already expanded our French telephone inquiry service and produce French-language hospitality kits. We have also hired more bilingual travel counsellors. In fact, the majority of full-time travel counsellor positions across Ontario are now designated bilingual. A French version of the Traveller's Encyclopaedia, our flagship publication, will be ready by March 1987.

Ours is a beautiful province, and I am proud that my ministry and our government are directly encouraging all Ontarians to see and visit more of Ontario the Irresistible.

Mr. Rowe: In response to the minister's statement regarding the Ontario French-language tourism marketing program, there are a few points I would like to make.

Let me be clear: while our party applauds any efforts to enhance our markets, especially to our French-speaking Ontarians, I remind the minister he is not announcing a first. We started advertising in French in Quebec and Ontario years ago with respect to bilingualism. We started hiring bilingual personnel in our provincial parks and in other tourist facilities. We sent bilingual personnel to market Ontario tourism in Montreal and in Quebec years ago.

There were French services before the minister arrived, so he should not sit there and tell us he is announcing a first, because he is not.

Mr. Hayes: I want to make some comments on the announcement of the Minister of Tourism and Recreation. I would like to compliment the minister for reaching out to French-speaking Ontarians. At the same time, I would be remiss in not reminding him that there are many areas right in his own backyard here at Queen's Park that are not bilingual. I hope he will look into that.

ROYAL ONTARIO MUSEUM

Hon. Ms. Munro: I rise today to announce a major initiative of the Royal Ontario Museum. At the same time, I would like to offer my heartfelt congratulations to the chairman, board of directors, staff and supporters of the museum for undertaking this important venture.

The Royal Ontario Museum is a source of great pride to Ontario. It is a facility of international repute, whose exhibits and artefacts are enjoyed by more than two million people annually. Yesterday, I had the privilege of being with the Premier (Mr. Peterson) at the museum when he announced the launch of the Future Fund Today, a \$25-million endowment campaign that will allow the museum to remain highly competitive and retain its world-class stature.

Thanks to a highly successful gallery development campaign, the ROM has a sparkling superstructure worthy of highlighting its treasures. The Future Fund Today will enable the ROM to display exciting and significant new collections in those galleries. The ROM will therefore truly be a pre-eminent cultural institution. Both inside and out, both in form and in content, the ROM will be unsurpassed.

The Future Fund Today will reach this goal through three main avenues. First, the fund will enable the museum to acquire new collections as

they become available. This is highly appropriate to take advantage of the ROM's new display capacities. It is also essential if the ROM is to remain in the forefront of cultural institutions.

Second, the fund will allow the museum's professional archaeologists to excavate new collection objects. This as well is critical if the ROM is to remain a valued anthropological resource.

Finally, the Future Fund Today means the ROM will be able to expand its research activities. Both newly discovered and longer-standing collection objects will reveal their secrets to the ROM's researchers and expand the body of human knowledge and awareness.

Another benefit of the fund will be an improvement in and expansion of the museum's educational programs and library facilities, making the museum even more accessible to the people of Ontario.

The Royal Ontario Museum is a sterling example of a beneficial partnership between government and the private sector. The ROM is an institution for the people of Ontario, and the dedication and caring of the people of Ontario have made the ROM great. The ROM is a reflection of their determination, spirit and generosity.

The Future Fund Today will make the Royal Ontario Museum even better. I urge my colleagues and the people of Ontario to join in supporting the Future Fund Today.

Mrs. Marland: While I am happy to join the Minister of Citizenship and Culture in her commendation of the Royal Ontario Museum and the hundreds of volunteers who helped, I have to say that this statement says nothing.

I find it very interesting that the Premier is now attending functions to launch other people's campaigns. This would be an exciting statement if the government were coming up with some money. It is talking about a \$25-million endowment campaign, but it is not saying anything about its support of the ROM.

The statement that the ROM will be unsurpassed is a misnomer. I would like to state very clearly that the ROM is unsurpassed today, and one of the reasons for that is that through the 1970s and 1980s our government gave it more than \$100 million. We did not stand by while the chairman announced fund-raising campaigns.

Mr. Harris: Mr. Speaker, I think I am on a point of order, but you may rule it a point of privilege. I will bow to your judgement in that.

The Minister of Industry, Trade and Technology (Mr. O'Neil) has made a statement in the

Legislature. His seat has been vacant during the time for responses and leading into question period. We know where he is. He has served notice that he is meeting with officials of Goodyear, along with the Minister of Labour (Mr. Wrye).

I am not sure it is against the standing orders, but it definitely shows contempt of this Legislature that two ministers, one of whom presumably is already at the meeting, have scheduled when the meeting will take place and have timed it intentionally, it appears to us, so as not to be here for question period. The Minister of Industry, Trade and Technology left that meeting, quite properly sending the Minister of Labour to carry on for a time, only to make a statement and then ran out; so he was not here for responses to the statement. I am not sure whether it is against the standing orders, but I suggest it shows contempt and it is rude.

Mr. Speaker: The member for Nipissing makes a point. It is not a point of order and it is not a point of privilege. However, it is a point of view, and I am sure the member will find some minister to ask some question of during the question period.

14:10

ORAL QUESTIONS

PLANT SHUTDOWNS

Mr. Grossman: In the unaccountable and unusual absence of both the Minister of Labour (Mr. Wrye) and the Minister of Industry, Trade and Technology (Mr. O'Neil) in the face of the Goodyear situation, I have a question for the Treasurer and Minister of Economics.

It appears from the press this morning and from our contact with Mayor Bruce Sinclair's office in Etobicoke that the mayor asked the Minister of Industry, Trade and Technology whether he would do an economic development study of the Lakeshore area. Our understanding from the mayor's office is that the minister refused that request. Can the Treasurer explain why the minister refused that request?

Hon. Mr. Nixon: I would like to respond to the preamble from the Leader of the Opposition. He should be aware that the two ministers who are absent from their places this afternoon are meeting right now with the president of the Goodyear Tire and Rubber Co., who has come with some of his senior executives from Akron, Ohio, to Toronto to consult on this important matter.

The presence of all ministers in the House is desirable, but these executives are making themselves available on short notice, although we do not thank them for it because we required their attendance and they are here. The ministers are dealing with them at this time, and I hope some useful information will come out of that meeting.

In answer to the specific question asked, I was not aware that a request had come from the mayor of Etobicoke for an economic analysis of the Lakeshore area. I would be glad to consult with the two ministers concerned to see what information we can provide or what initiative we can take to satisfy the requirements of that community.

Mr. Grossman: Our information was that they had not requested anything but a study and that the minister had said no. My question related to the refusal by the minister.

I also want to say that some of us on this side have been in a similar situation of having meetings conflicting with the House, but in my experience, the officials from Akron, Ohio, or wherever, surely would have understood had the minister said that pursuant to our system, they would have to wait 10 or 15 minutes so that the ministers could answer questions in the Legislature. That not only might have been appropriate but also—

Mr. Speaker: Question.

Mr. Grossman: —it might have been an opportunity for the minister to emphasize to those officials the degree to which this is a serious public matter such that he has to report to the House and defer the start of the meeting, at least in terms of his presence, for five or 10 minutes.

On April 11, 1985, on an occasion I am sure the Treasurer will remember, while his leader was campaigning as Leader of the Opposition during the election campaign and visiting the Burns Meats plant, his leader said that if he was elected he would make available expertise from the ministry to conduct feasibility studies and, when needed, provide interim funding until private financing or worker equity could be raised.

Given the fact that all the information indicates that this is a profitable operation, can the Treasurer give the House a commitment this afternoon, which the minister may take to that meeting, that he would be willing to provide all interim funding necessary until a new purchaser for this fine company can be found?

Hon. Mr. Nixon: I will respond briefly to the lengthy introductory comment the Leader of the

Opposition made to his question. I am sure he will recall that yesterday, at the behest of the official opposition, the House adjourned its regular business to deal with the important matter of the Goodyear closure announcement.

I indicated at that time that the ministers would have an opportunity to meet with the American officials and would have information available if the debate were held today. The official opposition insisted on adjourning the business yesterday, and in spite of the fact that it was an extremely important debate, on two occasions or at least one, there was a quorum call and there were only two Conservatives in their places. For the Leader of the Opposition to criticize my two colleagues for not being present in the House when they are at this moment meeting with the president of Goodyear is highly irregular and irresponsible, in my view.

The government will do everything it can to discuss this with the people at Goodyear. We hope we can provide whatever analysis will be effective. I look forward to hearing from the two ministers when they have an opportunity to report to the House.

Mr. Grossman: The Treasurer may have considered an amendment with regard to sexual orientation, which the government has been afraid to bring forward for five months, to be more important yesterday than the Goodyear closing, but in this party we considered the Goodyear closing to be more urgent yesterday than the sexual orientation motion which the government has kept off Orders and Notices for several months. The government did not have the courage to bring—

Interjections.

Mr. Speaker: Order. Will the honourable member take his seat? Does the member have a final supplementary?

Mr. Grossman: Can the Treasurer tell us whether he has equipped his minister, who has skipped question period to have the meeting with the Goodyear people, with the information that the government will be happy to make available land out of the government's land bank for the possible construction of a new Goodyear plant and facilities?

Hon. Mr. Nixon: I have not.

We should bear in mind that the announcement came last Friday. It seemed sensible to us that the debate on the matter might take place after all the facts were available today, perhaps tomorrow after we had a chance to meet with the officials. I have not been requested to provide money for

land or anything like that because it seems reasonable that we should have all the facts and have an opportunity to discuss it both in the House and as a government.

Mr. Grossman: By the time the Treasurer gets around to doing anything, the Goodyear plant and all the options will be gone.

NURSING HOMES

Mr. Grossman: I have a question for the Minister without Portfolio responsible for senior citizens' affairs. I know he will have had a chance to read the Provincial Auditor's report. With regard to homes for the aged in this province, the auditor reports that the frequency and scope of inspection activities were not specified, that actual inspections were infrequent and that results of inspections and follow-up of deficiencies noted were poorly documented.

I know the minister has also seen the report of 41 files that were looked at by the auditor, whose report found that in 39 of the 41 cases reviews in the dietary area were absent; fire inspection reports were absent in 31 cases; no independent nursing reviews or level of care reviews were present in 25 cases; no annual medical reports in 17; and no building maintenance reports in 13 of the 41.

I am sure the minister will agree that is a rather frightening situation and I wonder what he plans to do about it.

Hon. Mr. Van Horne: I am sure the Leader of the Opposition realizes that the immediate responsibility for homes for the aged and, as a matter of fact, for charitable homes is under the Minister of Community and Social Service (Mr. Sweeney). I will gladly share the question the member has posed with him.

It is important to point out to the Leader of the Opposition that if he takes a moment or two to look at our white paper called A New Agenda, he will realize I have some responsibility. I would like to quote a line or two from that to point out what my responsibility is.

On page 17, it says as follows, "We will undertake a major revision and rationalization of the extended care program and also address complementary issues in adjacent services such as residential care and rest homes." What this means in so many words is that we are going to write a new extended care act that will cover the Nursing Homes Act, the Homes for the Aged and Rest Homes Act and the Charitable Institutions Act.

14:20

Mr. Grossman: The auditor refers to the process that the minister has referred to, which is yet another one in a series of promises that those people make over there. It says there that up until the time of the auditor's work, no formal guidelines had been issued to establish the extent and frequency of inspections. The auditor says, "We were advised by senior officials that guidelines had not been issued because of a study being carried out on the accountability relationships between the ministry and its agencies receiving grants."

We know the excuse that is being given for not putting guidelines in place. Is the minister prepared to have all of the senior citizens' residences go uninspected, without guidelines and without reviews of their dietary situation, until he finally brings in legislation changing the relationship, or is he going to do something to protect them in the meantime?

Hon. Mr. Van Horne: The member well knows, as a former cabinet minister, that there are many times when one works co-operatively with one's colleagues in cabinet. That is certainly what we are about now that we have formed the government.

I submit that we are no longer going through the turf wars that those fellows over there went through when they were running the ship. It is our intent to develop a single improved act that will apply to all providers and establish uniform criteria in such areas as inspection services, programming, staffing, quality of care and physical plant standards.

Mr. Grossman: That statement of good intention really does nothing for the senior citizens who are currently in more than 100 uninspected homes. There are 130 homes without guidelines and without any review whatsoever of their dietary situation. Those kinds of answers, and promises that when the minister gets around to co-operating and gets new legislation he hopes to be able to do something about it, are a serious abdication of his responsibility today to the seniors who are in those homes.

I do not dispute the minister's good intentions. My simple question is whether his government is happy and content to leave the current situation in place until he gets about the new changes, or is he going to take some action today to put in place a complete inspection program for those seniors?

Hon. Mr. Van Horne: The Leader of the Opposition will recall that the guidelines to which he is referring in all three questions are guidelines that were issued and supposedly acted

upon in 1983. It is my information that nothing happened with the previous government implementing those guidelines.

ANNUAL REPORT, OFFICE OF THE PROVINCIAL AUDITOR

Mr. Rae: I have a question for the Premier relating to the report of the Provincial Auditor. The Provincial Auditor not only indicts the government for its failure to inspect homes for the aged, but he even notes that something as basic as trust money, money deposited on behalf of seniors, is not being adequately protected. The health and safety of seniors are not being adequately protected. There is a devastating indictment of the Ministry of Labour and of its failure to inspect and to provide adequate health and safety, of the fact that workers are being killed because inspections are not taking place. There is a devastating indictment of the inspection of public health and of the way in which public health is administered.

I wonder whether the Premier can answer this: why does the government remain so profoundly unconcerned about the health and safety of its older people, the health and safety of its workers and the health and safety of all its citizens, who are supposed to be the beneficiaries of programs, that this kind of indictment, a year and a half after it came to power, can still be made by the Provincial Auditor?

Hon. Mr. Peterson: I have just had a very brief briefing on what is in the auditor's report. As the honourable member knows, it came down about five or 10 minutes before we came into the House. I am aware in general terms that a number of those suggestions and/or allegations were made. I want to assure the member that I take them extremely seriously. I am not in a position to respond to the specific details in the report, but I take it seriously, as do my colleagues, and we will be acting on the basis of this information.

Mr. Martel: Today the Provincial Auditor reiterated what I have been saying to the guardian of the swamp now for a year and a half, that the haphazard method of inspecting is costing serious injury, loss of time and even loss of life. The official response from the Ministry of Labour is to circle the wagons, as it usually does. Let me quote:

"The division seriously questions whether it is appropriate to 'second-guess' the assigning of inspection cycles by division staff experienced in matters of health and safety."

If the staff are so good, why do we have an ever-increasing, escalating number of accidents

and an almost daily fatality in this province? Is this not really what is going on in the Ministry of Labour, what the inspectors themselves call crisis management, because there are not enough inspectors to do the job properly?

Hon. Mr. Peterson: I respect my honourable colleague's knowledge of this matter and the fact that he has raised this in this House for a considerable number of years. The member will be aware that there is a review of this entire aspect of the ministry, which he refers to in different terms. However, I assure him I take his comments and the comments of the auditor very seriously. I cannot give him a detailed response, but I know the ministry will be in a position to give him one, I hope in the not-too-distant future.

Mr. R. F. Johnston: The Premier is probably aware that homes for the aged in this province are a line budget item of well in excess of \$200 million, yet his ministry, in response to the auditor's report, has said the following:

"As regards the area of inspection procedures, in our view, responsibility and accountability for the day-to-day management of homes, client care and outcomes, program quality and effectiveness rests with the boards of management and boards of directors" of those homes.

That is an old Tory policy, which leaves a total lack of accountability to the prime budget control, which is the Premier. Is the Premier going to stick with that policy, or is he going to change it and put in proper inspection procedures, which in this case do not even match the inadequate ones we have for nursing homes?

Hon. Mr. Peterson: Let me assure my honourable colleague that we are not wedded to the past in any way. Indeed, when we assumed office, we were tackling a number of problems, as he is very well aware. He can argue that we have not made enough progress in some areas, and perhaps in some areas his criticism is justified.

However, I want my colleague, and the auditor—and I take this very seriously—to be fair-minded about this as well. If he will refer to the auditor's report, I will quote it to the honourable member for his information:

"In the past year we have observed a concerted effort on the government's part to consider and implement the study's recommendations. There has been a renewed emphasis on accountability relationships, and administrative policies and practices are undergoing thorough review and revision. Greater attention has been focused on values in the working environment and on executive planning and development."

What the auditor says—and there are criticisms; there always will be—is that there are problems which this government has shown a determination to try to wrestle with fundamentally. I value the member's advice and the advice of my colleagues opposite, as well as that of the auditor in dealing with these questions.

Mr. Rae: The question was whether inspections were going to start. We have to start talking about 43.5 years of Tory government.

PAY EQUITY LEGISLATION

Mr. Rae: I have a question for the Attorney General with respect to equal pay. He is another minister who has made a point of talking about how long people are going to have to wait for justice.

The minister will no doubt be aware of the law and of the delays contained therein. I would like to ask him to consider a hypothetical smaller plant. He will know that more and more employees are working in smaller operations rather than in large operations.

In a work place with 25 workers where 10 men make \$17,000 a year each and 15 women make \$14,000, with pay adjustments based on one per cent of the preceding year's payroll, if it were determined they were doing work of equal value, on top of overall wage increases of four per cent a year, it will take 12 years to eliminate the gap between men's and women's wages, which means that under the minister's bill they will have to wait 12 years plus six years, which means 18 years.

Why should the women of Ontario who work in this kind of plant have to wait 18 years for equal pay for work of equal value?

14:30

Hon. Mr. Scott: The question is like the questions that used to appear in the mathematics column in the *Globe and Mail*, where you were asked whether you could answer the conundrum. I will take notice of the question and determine the answer at the earliest possible moment.

While I am on my feet, I should respond to a point made by the honourable member yesterday. He was concerned about figures. I have inquired into the matter, and it appears that 57.8 per cent of the female work force in Ontario will be covered by pay equity three years following proclamation.

Mr. Davis: It is 57 per cent. What about the other—

Hon. Mr. Nixon: What? What?

Mr. Davis: -43 per cent?

Hon. Mr. Nixon: That is our Education critic.

Mr. Davis: You were not fast enough to tell me how many will not be covered.

Mr. Speaker: Order. It is great to be able to smile once in a while, but now perhaps we can have a supplementary.

Mr. Rae: I appreciate the chance to ask a supplementary of the Attorney General.

Mr. Mancini: How did the member for Scarborough Centre (Mr. Davis) count the collection on Sunday?

[Laughter]

Mr. Rae: The Liberals can laugh, but the fact of the matter is that tens of thousands of women will be waiting until well into the 21st century before they will receive equal pay under the law the Attorney General has proposed today.

I would like to ask the Attorney General about those other tens of thousands of women who are not covered because they are working in areas dominated by women. Under the proposed legislation, they are not able to make any comparisons whatsoever. The Attorney General will be aware that nursing home workers were able to benefit from an arbitration decision that allowed them to compare their wages with the wages of hospital workers. That is how they were finally able to get some increases.

Why should nursing home workers, hospital workers and day care workers working in the public sector for organizations funded by the province and the people of Ontario have to be satisfied with a simple study by the Pay Equity Commission, which we all know is a pseudonym for doing absolutely nothing for those women at the lowest end of the wage scale?

Hon. Mr. Scott: Our bill was not that badly received. The Equal Pay Coalition referred to it as a "positive response." The Canadian Union of Public Employees, usually a firm supporter of the third party, called it a "bold initiative." The president of the Ontario division of the Canadian Union of Public Employees called it a "bold step forward."

None of those people thinks the bill is perfect. I do not think it is perfect. I highlighted in my statement yesterday the problem presented by a job comparison system where there are units in which no comparisons can be made physically. That is a real problem presented by any pay equity proposal. I indicated we were going to study that for the purpose of canvassing the number of solutions that can be made. I also indicated the canvass and the determination of

how we would respond to it would be made in time to assure people in those groups get wage adjustments as members in other groups of the same size get wage adjustments.

I do not pretend for a moment that perfection is found in our responses. I know where perfection is found, because I am told about it almost every second day. The only person who has dumped on this bill is the member for Ottawa Centre (Ms. Gigantes), who dumps on everything. The reality is that the bill is a major, important initiative. We are looking forward to positive suggestions about the solution.

For example, with respect to the problem that the honourable member raises, I look forward not to a strident—

Interjections.

Mr. Speaker: Order.

Ms. Gigantes: I want to ask the minister responsible for women's issues how a woman who is 50 years old, who works in a firm with 20 people in it and who is looking forward to retirement and a small pension can get anything out of this bill when she will have to wait for six years after her retirement for this bill to take effect.

Hon. Mr. Scott: If she is going to retire today and if she is operating in a business that has fewer than 49 employees, adjustments will not begin until six years; the honourable member is correct. On the other hand, if she is working in the broader public sector, adjustments, and possibly complete payout, will take place in two years.

I am conscious of the concerns raised by the honourable members of the third party. I wish they would stop asking me about pay equity, because I want the Conservatives to start asking these questions.

Mr. Davis: Don't ask him any questions.

Hon. Mr. Scott: No. I came to question period today anxious to respond to the honourable members' questions, but I came here today to see whether there was any chance that we could glean where the official opposition stands on this bill.

My honourable friend the member for Ottawa Centre has been on television and on radio expressing her comments and issuing press releases, and so have we; but there has not been a peep out of the official opposition. I would like to know where they stand.

Interjections.

Mr. Speaker: Order. I believe the member for Cochrane South (Mr. Pope) would like to ask a

question, if you would allow that. We will wait, though.

Mr. Pope: We now have an Attorney General who does not want to be asked questions, let alone answer them. That is pretty good: no doors or windows.

LAYOFFS IN NORTHERN ONTARIO

Mr. Pope: My question is for the Minister of Natural Resources. The minister will be aware of the announcement yesterday of layoffs at Kimberly-Clark in Terrace Bay. He will also be aware of the recent announcement of layoffs by the Grenville Martin lumber mill in Sault Ste. Marie, the layoffs at the Dubreuil Brothers mill in Dubreuilville and many others across northern Ontario.

Can the minister tell me how many ministers met with the officials of these companies, when those meetings took place and where they took place?

Hon. Mr. Kerrio: That question would be difficult to answer, and I will take it—

Interjection.

Hon. Mr. Kerrio: Why does the part-time member find it surprising that I would have to look up the dates when we met with every one of the people described by him? I am fully prepared to bring that man up to date because he is not here often enough to know what goes on. I am very willing to examine my records.

I have to tell the assembly that more people in the business that relates to timber, lumber and wood products have come through the Ministry of Natural Resources office in the past two years than went through that office in the past 10 years; so I will get that information.

Interjections.

Mr. Speaker: Order. Maybe we could just calm down a little bit.

Mr. Pope: The workers of northern Ontario wish this minister were not there at all on any day, because he has done absolutely nothing to protect them over the past six months.

I want to know why this government has a different standard when it comes to layoffs here in Toronto at Goodyear as compared to layoffs in northern Ontario. When is the government going to do something for the northern Ontario workers?

14:40

Hon. Mr. Kerrio: The people of northern Ontario have never been better represented than by this government.

Interjections.

Mr. Speaker: Order. Perhaps the minister would take his seat. Would the members show a little respect?

Hon. Mr. Kerrio: The people of northern Ontario have never been better represented than by this government, the government of this day. That is precisely what I said. I hope the member examines Hansard to see whether that was not precisely what I said the first time.

I will tell the members one thing that is very important. The present government does not go up to northern Ontario and tell northerners one thing and come back to Toronto and say something else, which is precisely what members opposite do. There have never been more conscious initiatives taken for the people of northern Ontario than by the present government, and that will continue for many more years to come.

DRUG PRICING

Mr. D. S. Cooke: I have a question of the Minister of Consumer and Commercial Relations. Does he stand by a letter he wrote earlier this year? I will quote the first paragraph:

"In response to your letter dated February 11, 1986, regarding changes to the Patent Act, it seems only fair that research-based companies in the pharmaceutical industry who expend large amounts of moneys for research in developing new drugs should be able to recoup their moneys through a patent protection for at least 12 years."

Is that the position of the Liberal government in Ontario?

Hon. Mr. Kwinter: That letter was written to Joseph Warner last February. When I visited Hecla Island in September 1985 for a ministerial conference, I stated the position of this government very clearly to the then minister, Michel Côté. I attended another meeting in Thunder Bay in September 1986 and again delivered a very clear message on the government's position to Harvie Andre. I stand by that position.

Mr. D. S. Cooke: I am not sure what the minister stands by, whether it is the letter or the nonposition he has stated in the House today. Can he tell us exactly whether he supports the position of our party, that the Tories are trying to increase the price of drugs to consumers in this province? The present legislation saves them \$225 million a year. If this plan is passed federally, consumers in this province will have to pay \$100 million a year extra as new drugs come out.

What is the position of the Liberal Party? Is it that of the letter the minister wrote in February, which is very clear, or is it some other position he is referring to now?

Hon. Mr. Kwinter: The position is very clear. At the very minimum, we support Mr. Eastman's report that it be to a maximum of four years.

Mr. D. S. Cooke: Why did you write the letter?

Hon. Mr. Kwinter: Unfortunately, that letter was written by a constituent representative.

Mr. Speaker: Order. I did not call for a supplementary.

WASTE DISPOSAL

Mr. Offer: I have a question for the Minister of the Environment. A radio report this morning indicated that many thousands of gallons of ethylene glycol are being sprayed on airplanes, to deice them, by Air Canada at Lester B. Pearson International Airport. I also understand this chemical is being filtered through Metro Toronto's waterways and ultimately into Lake Ontario. First, is the minister aware of this; and second, is it acceptable that this practice be carried on?

Hon. Mr. Bradley: Is the airport in the member's riding?

Mr. Mackenzie: Answer the question.

Hon. Mr. Bradley: I am getting instruction from the member for Hamilton East, who wishes he were the Speaker.

In answer to the member's specific question, I am surprised that Air Canada, which is a federal crown corporation, carries out this practice of simply wasting the antifreeze it puts on its planes in winter for the purpose of deicing the wings. First, it is an environmentally unacceptable procedure in my view; and second, since the federal government—

Interjections.

Hon. Mr. Bradley: Obviously the Conservatives do not consider this to be important.

Second, because the federal government and its agencies appear to be very interested in saving money, I think that in addition to being concerned about this environmentally sloppy practice, they should also be concerned that they are wasting a lot of their antifreeze. It is my understanding that in other airports where Environment Canada has undertaken certain studies, they are able to recover this. I think that has happened at the Mirabel airport, for instance. I find it environmentally unacceptable. We have

made contact with the federal Department of Transport and Environment Canada.

Mr. Offer: I understand the practice. Keeping in mind that the airport is within federal jurisdiction and that this deicing is being done by Air Canada, I wonder whether the Minister of the Environment is planning to do anything with respect to this deposit of ethylene glycol in the waterways.

Hon. Mr. Bradley: There is a relatively simple solution to the problem. All they have to do, particularly when dealing with the large volumes of antifreeze they put on the planes, is to construct gutters and recovery tanks to collect the material. They would not have to allow it to go into the storm sewers and ultimately into the lake.

DRUG PRICING

Mr. Andrewes: I have a question for the Minister of Consumer and Commercial Relations. In his capacity as the guardian of consumers on drug pricing, he has left us somewhat confused. His letter, although perhaps not intentionally, leaves us guessing and is a bit misleading. I wonder what position the minister expressed to Mr. Andre and other federal ministers on the issue of drug price protection.

Hon. Mr. Kwinter: The response was clear and unequivocal. We opposed what they were doing. We opposed the granting of a period of exclusivity in excess of four years. In my conversations with him, we actually recommended that it be less than that. As a matter of fact, I would say we were the chief opponent at the meetings at Hecla Island and the meetings in Thunder Bay.

14:50

Mr. Andrewes: Why did the minister say in his letter to Mr. Andre, "It seems only fair that research-based companies in the pharmaceutical industry who expend large amounts of money for research in developing new drugs should be able to recoup their moneys through patent protection for at least 12 years"—not 10 years as was said in the legislation, but 12.

Hon. Mr. Kwinter: The member is in error. The letter was not sent to Mr. Andre; it was sent to a Mr. Warner in February and the letter was composed by one of my—

Mr. Andrewes: You signed the letter. It is on your letterhead.

Interjections.

Hon. Mr. Kwinter: It is a very significant difference. So what? It is a very significant

difference. He is talking about a letter to a minister of the crown and I am talking about a letter to a constituent.

PLANT SHUTDOWNS

Mr. Mackenzie: I have a question for the Premier. As leader of the Liberal Party, in return for our support in allowing him to form a government in Ontario, he signed an accord. One of the specific items in that accord reads as follows, "Reform of job security legislation, including notice and justification of layoffs and plant shutdowns and improved severance legislation." Had we had that, it might have helped in the Goodyear situation. Can the Premier tell me where the legislation on this item is right now?

Hon. Mr. Peterson: The honourable member reminds me of discussions that took place some 16 to 18 months ago. They are worth celebrating on this occasion. I think he has found that this government does what it says it will do. They are the kinds of things we discussed in the last campaign and subsequent to that. I know my friend opposite would like to take credit for all the good things the government does, but I always find it curious that he is never prepared to take the blame when we make mistakes. He wants to share some of that with us as well. That being said, the matter is under review by the minister at present and he will be able to share it with the member when he has made his final determinations.

Mr. Mackenzie: Inasmuch as it was a signed agreement the Premier made, can he tell us now whether his commitment to justification of layoffs and plant shutdowns will include the Goodyear workers and whether the company, which is profitable, is going to have to pay the price, rather than the workers, for what has happened at Goodyear in Toronto?

Hon. Mr. Peterson: I gather notice was given for layoffs for six months from now. There are discussions going on at present. As the member will be aware from discussions in the House today, two of our colleagues are there, taking this matter very seriously at the moment. I cannot promise the member that the things we introduce will be retroactive. We are looking at this situation and trying to handle it on a specific basis.

There is some question about whether that factory is profitable and as to whether it is competitive. We had discussions about that in the House yesterday. I told the member that what concerns me about this particular layoff is the suggestion, at least in some quarters, that it is a

function of corporate reshuffling, of the loading on of debt to fight a takeover bid. I find that extremely disturbing and it should be looked into by the members of this House. I will be happy if the standing committee on finance and economic affairs of this House wants to review this as a specific example of the whole question of corporate concentration.

ALCOHOL ON OPP BOAT

Mr. Sterling: I have a question for the Solicitor General. Can he confirm or deny that he is under investigation by the Metropolitan Toronto Police?

Hon. Mr. Keyes: That is probably a question that should be addressed to the Attorney General (Mr. Scott). Since it is addressed to me, I will answer it.

Last week the Attorney General stood in his place and, in answer to the same question, said he was instigating an investigation by the Metropolitan Toronto Police with regard to the incident in question.

Mr. Sterling: In spite of what the Solicitor General or any of his colleagues may deem to be the severity of this offence, the government appoints the majority of the Metropolitan Board of Commissioners of Police on the commission's recommendation. The commission is responsible for policing in Metro Toronto.

Since the Solicitor General and his colleagues are essentially the bosses of the Metropolitan Toronto Police force, does he not think it inappropriate for him to remain as a member of the executive council?

Hon. Mr. Keyes: It is quite appropriate that I remain in the current capacity. We happen to control not only the majority of appointments to the Metropolitan Board of Commissioners of Police but also the appointments to every board of commissioners of police in Ontario. Therefore, it is a rather protracted argument to suggest that because we are in that position, it jeopardizes any impartial investigation.

PROPANE EXPLOSION

Mr. Rae: I have a question for the Minister of Consumer and Commercial Relations with respect to the explosion that took place a week ago in my constituency.

After discussions with the chief fire marshal and with people from the ministry's fuels safety branch, it is my understanding that the garage in question did not have liability insurance on the date of the accident. Can the minister explain

how a garage engaged in this kind of business would not have liability insurance?

Hon. Mr. Kwinter: I cannot answer that question. Within the capacity or the responsibility of the part of the ministry that deals with fuel handling, that is not a requirement. We do not have a requirement that in order to have an installation put in, a firm has to have liability insurance. Our people do not check into whether the firm has insurance.

Mr. Rae: I hope the minister will appreciate that there are people living within 80 yards of this explosion. If the propane tank itself had gone off, according to the minister's chief engineer, many of those people would have been killed.

Can the minister explain the complete breakdown in inspection? By admission of the minister's own officer, the garage was not inspected after March and was not liable to inspection by the fuels safety branch. It was not inspected by the Ministry of Transportation and Communications or by the Ministry of Labour.

What is the minister going to do to ensure that the residents and property owners who live nearby are going to get compensation for damage to their properties? What is he going to do to ensure that inspection starts to take place and that the people of Ontario are not subject to the possibility of an accident where it can be prevented by decent inspection?

Hon. Mr. Kwinter: With all due respect to the leader of the third party, the situation and the facts are that the installation was made and inspected on March 17, 1986, and the inspection was found to be proper and adequate.

The preliminary report, which has not been completed, indicates that the accident was in an adjoining garage that would never have been the subject of inspection. A worker inadvertently, by accident or through negligence, cut a line. No amount of inspection would have prevented that line from being cut. Those are the facts of the case. There is nothing that we or the inspector could have prevented.

As far as the insurance issue is concerned, again, that is not part of the mandate of the fuels safety branch, but we are currently examining the situation. I sympathize with the problem. We are looking at it to see what resolution can be made, but those are the facts of the case.

15:00

DRUG DISPENSING

Mr. Jackson: I have a question for the Minister of Health. His proposed new regulations governing pharmacists change the current

34-day limit on a prescription drug supply to an eight-month limit, with the dispense-as-written rule added.

I would like to bring to the minister's attention an actual case in Burlington in which a senior citizen was prescribed Capoten at a cost to the Ontario drug benefit plan of \$70.63 a month. After two weeks, because of a drug reaction, she was switched back to her previous drug, propranolol, which cost \$9.99 a month. Under the new regulations, taxpayers could have lost close to \$500 in that single instance because of wastage of the initial prescription.

Does the minister believe that saving \$5 a month in dispensing fees to the pharmacists justifies that kind of loss to the taxpayers?

Hon. Mr. Elston: The people of Ontario are protected in various ways with respect to prescriptions being delivered by physicians. I happen to believe that if a physician prescribes a certain quantity of a drug, it is on the basis of an informed and reliable judgement with respect to what is needed by that patient. I am sure the member wants to provide for the people an entirely accurate and thorough analysis of all the sections of the regulations, which allow certain professional judgements and leeway in decisions with respect to the amounts to be dispensed by the pharmacists.

We have indicated to the College of Physicians and Surgeons of Ontario that we have agreed with its position on professional freedom to make judgements and decisions about the professional parameters within which dispensing medications are required. There are certain limits as a result of that professional freedom, which I am sure the member would understand to be very appropriate, perhaps in not providing the full amount prescribed.

The one item I am concerned about, however, when the member wants to analyse the professional decision not to dispense the entire quantity, is that there must be direct communication between the prescriber and the pharmacist, the professional who makes the decision about dispensing, perhaps because of an indication of a profile of drugs being consumed by the patient that might not be appropriate. That is very important.

Mr. Speaker: Supplementary.

Hon. Mr. Elston: I can also tell the honourable gentleman that we have had communications—

Mr. Speaker: Order.

Hon. Mr. Elston: —with the College of Physicians and Surgeons—

Mr. Speaker: Order. Supplementary.

Mr. Jackson: The minister knows that his own government's Ontario Advisory Council on Senior Citizens is concerned about the potential that this new legislation has for overuse or misuse of drugs, particularly when such large quantities can be made available. The minister is probably aware that this includes the growing number of hospital admissions throughout Ontario for non-compliance with medication. Whose health is the minister most concerned about—the long-term health of our senior citizens in Ontario or the short-term health of the provincial Treasury?

Hon. Mr. Elston: It is quite obvious, and the member should understand, that we are concerned about the health of seniors. We have talked considerably in our committee deliberations on these bills about the question of the appropriateness of prescribing medication.

A number of people came to talk to us about their opportunities to review in detail what drugs are being used, how they are being used by seniors and how they are being prescribed. From my standpoint, I was very taken with some of the indications made by members of the Ontario Pharmacists' Association and by members of consumer groups and of seniors' associations when they expressed a very large degree of concern about the utilization of drugs in the province.

I can tell the honourable gentleman and the public, however, that there must be, and I expect there will be, as a result of the passage of Bills 54 and 55, a lot more communication between prescribers and dispensers in consultation with the consumers, the very people who should know exactly what they are getting, why they are getting it and from whom they are getting it.

I think these bills will be helpful to instil in our system a great deal more communication than perhaps was there before. I look forward to being able to implement these bills and having them proclaimed and in force on December 1.

WASTE DISPOSAL

Mrs. Grier: I am glad the Minister of the Environment has already had drawn to his attention the fact that up to one million litres of ethylene glycol per year can flow from Pearson International Airport right into the Mimico Creek.

Would the minister not agree that this is yet another loophole in his municipal-industrial strategy for abatement program and that any of the programs he has already announced or any of

the practices currently in place in his ministry do nothing to stop this type of pollution?

Hon. Mr. Bradley: I will try to be as comprehensive as my colleague in answering this question. The honourable member is aware that the MISA program was designed specifically to deal with direct discharges into the environment that come from industrial and municipal sources—industrial in that they would be, for instance, from a Dow Chemical plant and would go directly into a waterway, and municipal in that they would come from one of the municipal sites in Ontario, even one operated by the Ministry of the Environment.

There are other practices, of course, through the auspices of the spills bill, the Transportation of Dangerous Goods Act and a number of initiatives that are taken by both the federal and provincial governments to prevent this type of situation from arising. It seems to me there is—for instance in this case, as there is in so many of the cases—a very straightforward answer to it; that is, to install the appropriate gutters and to put in the necessary collection tanks.

Mrs. Grier: I am glad the minister knows what needs to be done about the problem. I agree with him that his ministry needs to have guidelines for ethylene glycol. It has none at the moment. His ministry needs to have a requirement that Transport Canada have a permit in order to use this ethylene glycol. Also, the study that Transport Canada had done in 1975, which recommended retention tanks, needs to be implemented.

Can the minister tell us what he intends to do about those solutions and when he intends to put them in place?

Hon. Mr. Bradley: If the member had asked that question specifically in the first place, I might have tried to be more specific than I was in my initial answer.

I share the member's surprise, for instance, that Environment Canada, which has looked into this matter, has not communicated successfully with Transport Canada in suggesting that this would be appropriate. What is particularly important arising from the member's question is this: The member and I both attended a conference in Hamilton on the weekend at McMaster University, where the issue of jobs and the environment arose. One of the suggestions that emerged from that was that money could be saved by undertaking environmentally safe practices.

That is why, if Air Canada is not of its own volition prepared to save that money and at the

same time be environmentally safe, we as a ministry will ensure that those gutters and recovery tanks are installed at the earliest opportunity.

ARTS FUNDING

Mrs. Marland: My question is to the Minister of Citizenship and Culture. The minister is aware that the passage of an amendment to the Retail Sales Tax Act contained within Bill 26, which proposes to eliminate the 10 per cent exemption currently granted to not-for-profit theatres, will mean a loss of some \$1.6 million to the six major Ontario performing arts centres alone, even though the Treasurer (Mr. Nixon) has defined this amendment as revenue-neutral.

The minister is also aware that this revenue is badly needed by these theatres to support volunteer community orchestras and Canadian artists and to cover the general operating costs of community theatres.

In view of these realities, has the minister discussed this matter with the Treasurer? What was the outcome of that discussion? Does the minister agree with this?

15:10

Hon. Ms. Munro: Our ministry has certainly had discussions with the Ministry of Revenue and has received many items of correspondence on both sides of the question. The Treasurer is certainly sympathetic but feels very strongly that the bill should go forward as indicated.

REPORT

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Laughren from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 51, An Act to provide for the Regulation of Rents Charged for Rental Units in Residential Complexes.

Motion agreed to.

Bill ordered for third reading.

INTRODUCTION OF BILL

PENSION BENEFITS AMENDMENT ACT

Mr. Gordon moved first reading of Bill 157, An Act to amend the Pension Benefits Act.

Motion agreed to.

Mr. Gordon: I think residents of Ontario are aware that companies have been taking surplus

funds out of pension plans. It is my view that workers in Ontario need protection. That protection will come through my bill, which provides that surplus funds can no longer be scooped out of pension plans.

ORDERS OF THE DAY

House in committee of the whole.

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT

Consideration of Bill 7, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms.

Hon. Mr. Nixon: House leaders' agreements seem to be somewhat ephemeral, but it is agreed that the House will stand down the first 17 sections of the bill so that the debate may begin on section 18. I suggest the major topic for debate and discussion will be the first five subsections. It is our intention that if there is not agreement on the amendment as it is presented in the bill, the House will decide by its vote the disposition of these matters at the end of that debate.

Mr. Chairman: Mr. Nixon has stated that the first 17 sections of Bill 7 will be deferred until after section 18 is dealt with and the vote finished. Is it the pleasure of the committee that the motion carry?

Mr. McClellan: Just so that we are absolutely clear about the voting procedure, my understanding is that we are stacking the vote until 5:45 of the afternoon when we conclude the debate on the matter that is now before us.

Mr. Chairman: On section 18.

Mr. McClellan: Yes.

Hon. Mr. Nixon: Mr. Chairman, that is agreeable to me. It is not what I said, but it is agreeable to me—that is, to have the vote at the end of the afternoon, at 5:45, when those subsections are completed as far as the debate is concerned.

Mr. Andrewes: I wonder whether the government House leader might restate what he said originally so that we can be clear about what the options are.

Hon. Mr. Nixon: I indicated that House leaders' agreements were somewhat ephemeral.

Interjection.

Hon. Mr. Nixon: No, but I thought it might be better if the vote were taken as soon as the debate was completed. The original agreement, which was based on a debate that was to have happened yesterday, was that we would complete the

debate perhaps yesterday and then have a vote at 5:45, so that the members who were not immediately involved in the discussion would know when to return to indicate their view.

I am prepared to accept the proposal by the House leader of the New Democratic Party that the vote be taken, if there is one, at 5:45 on the day the debate on the subsections I referred to is completed.

Mr. Chairman: Is that clear? The vote will be taken at 5:45 on the day on which consideration of section 18 of this bill is completed.

Mr. Harris: May I suggest that we agree to that for today?

Mr. Chairman: Is there unanimous consent?

Mr. McClellan: We are talking about the first five subsections of section 18.

Mr. Chairman: The first five subsections of section 18 of Bill 7. Is there unanimous consent? As the opposition House leader stated, that is the agreement for today. Agreed?

Agreed to.

Mr. Chairman: Mr. Nixon has moved that sections 1 to 17, inclusive, be deferred, or stood down, until after the consideration of section 18, subsections (1) to (5), inclusive. Is it the pleasure of the committee that the motion carry?

Motion agreed to.

Sections 1 to 17, stood down.

On section 18:

Hon. Mr. Scott: I will speak to the first section.

Mr. Chairman: The first subsection?

Hon. Mr. Scott: Yes.

Mr. Chairman: Are there any other comments, questions or amendments to any of subsections 18(1) to (5), inclusive?

Mr. McKessock: Section 18.

Mr. Chairman: Which subsection?

Mr. McKessock: The five subsections.

Mr. Chairman: All right. Is it correct that there are many members who wish to speak to subsection 18(5)?

An hon. member: Yes.

Mr. Chairman: Fine. Then we will just start in. There will be many, and we will go in speaking order.

Shall we start with subsection 18(1)? I take it there is no one else interested in speaking to, questioning or amending any other section besides the Attorney General (Mr. Scott) on

subsection 18(1) and many members on subsection 18(5).

Mr. McClellan: On a point of order, Mr. Chairman: I do not know why this is so difficult. Why do we not just have the debate?

Mr. Chairman: Because the standing orders call for it.

15:20

Mr. McClellan: No, they do not. Why do we not just have the debate that has been arranged on a three-party basis on the five subsections that are before the House?

Mr. Chairman: Agreed, and subsection 1 comes before subsection 2.

Mr. Harris: Mr. Chairman, could we just agree to discuss subsections 1, 2, 3, 4 and 5 all at the same time?

Agreed to.

Hon. Mr. Scott: As the minister who has responsibility for the carriage of this act and, of course, of this section, it is appropriate for me to make some remarks to introduce the section to the House, particularly because the section that is advanced was not in the bill on second reading but was introduced by members of the standing committee on administration of justice sitting in committee.

As honourable members will see, subsections 1 through 5 contemplate amendments to sections 2, 3, 4 and 5 of the Human Rights Code of Ontario. As they will perhaps know, each of those sections follows the model of section 2 of the Human Rights Code, which provides:

"Every person has a right to equal treatment with respect to the occupancy of accommodation, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status, handicap or the receipt of public assistance."

This bill proposes to introduce the words "sexual orientation" into that catalogue of groups. "Sexual orientation" for the purpose of this debate involves any orientation of a sexual nature that is not inconsistent with the law, that is not prohibited by the law.

It goes without saying that as a result of amendments to the Criminal Code at least a decade ago, not only is a homosexual or bisexual orientation not unlawful, but any act that results from it, unless specifically prohibited, is also not unlawful. None is prohibited, except the general list of offences which can be committed by either homosexuals or heterosexuals against children, women in certain cases or animals.

What we are dealing with here is adding to the Human Rights Code a provision that will make membership in a class, which the law of Canada regards as a class of lawful persons, a prohibited ground of discrimination.

I will briefly tell the members of the House how this matter comes to be decided today. In the first place, it is a matter of record and a testament to the important initiatives that the previous government undertook that Ontario has long been a leader in human rights legislation.

In 1944, the Racial Discrimination Act was passed in Ontario; in 1962, Ontario was a leader in Canada in creating the code whose sections we propose to amend today. The purpose of that history and of this code was to prohibit discrimination in the delivery of public services to individuals who were perceived to belong to a class. It required that an individual's entitlement or right to a service should be decided by reference to an individual's own merit or demerit and not by a subjective assessment that the applicant falls into a class that has been characterized in some negative fashion. That is the thrust of all human rights legislation and has been the thrust of this legislation from the beginning.

Honourable members will recognize that when this bill was passed in 1962, the catalogue of classes was not as long as it is now. It has been amended from time to time, and it has been amended when this assembly has perceived that there are fellow citizens who are being refused or threatened to be refused public services on the basis of the perception, accurate or not, that they belong to a class. Then the assembly has intervened to say no one should be deprived of a public service if he is law-abiding, if he belongs to a class, without an individual, personal evaluation of whether, as a citizen, he is entitled to or needs that service. That has been the history of human rights legislation from the very beginning.

One hundred years ago in this very province, to say nothing of elsewhere, it used to be believed that the Irish—and I say this with some hesitation in the presence of the member for Oshawa (Mr. Breaugh)—as a class were drunk and irresponsible workers. It was true that there were some Irishmen who drank. There were some Irishmen who were irresponsible because they drank. It may even have been the case that more Irishmen than Englishmen drank. I consider it likely. However, what that apprehension led to in Ontario, and nowhere else, was a perception in

the public mind that Irishmen drank and were drunk and were irresponsible.

Do members know what that led to for my great-grandfather and others of Irish extraction? That led to signs, "No Irish need apply" for jobs. Any Irishman, no matter how responsible in individual terms, no matter how respectable, no matter how law-abiding, no matter how capable of hard work in industry, need not apply. Why? Because he was judged to be a member of a class about which a generalization that may have been true or false was accepted.

It was not just the Irish. It was believed of the Jews. Everybody in his own lifetime can remember the sense from the Middle Ages, by virtue of the usury laws, that the Jews were better at making money, were tricksters, were sharp. Some of them were, but most of them were not. Most of them turned out to be just like the rest of us. Therefore, we had to add those classifications to the Human Rights Code to protect the human rights of the members of those groups.

What were we trying to protect? We were not trying to say you were better if you were a Jew. We were not trying to say you were better if you were Irish. What we were trying to say was that you were exactly the same if you were those things and that you were entitled to have your right to services for which your tax dollar paid, quite often, evaluated on the basis of your willingness to obey the law and on your own merits and demerits.

That is all human rights legislation is, but it is the least of what it is, in the sense that there can be no human rights legislation worthy of the name without that central requirement.

As this assembly in the past three decades has added categories to this catalogue of groups against whom discriminatory acts will be prohibited, members of the assembly have always had to tussle with what are perceived as moral questions about whether there is discrimination against this or that group that would warrant its being added as a class, not for special protection but so that it could have equal treatment.

In Ontario, the human rights commission, which this assembly established, reported unanimously more than a decade ago to the Legislature that there were persons of sexual orientation—homosexual or lesbian—who were not being equally treated in the provision of services in our community. I did not make that up. The report a decade ago said that.

15:30

One of the members of the human rights commission of that day, the Rev. Bruce

McLeod, a former moderator of the United Church, says:

"Ten years ago, I was part of the code review process of the Ontario Human Rights Commission. We discovered that in Ontario people were being harassed by police and others, and denied access to accommodation and jobs, not because they had done anything wrong, not because they had committed any crime, but because they were suspected of being homosexual. That is still the case. There are people living in fear in Ontario because others know they are homosexual and threaten to tell. They are teachers, lawyers, police officers and clergymen. Some of them are paying blackmail."

If that is true, then no one here will not move to see that those people, the members of that class, obtain what they are entitled to, that is, equal evaluation and treatment to services that the law and quite often their tax dollars provide.

That was the report of the human rights commission. I want to refer to the report made by the social Ontario conference of the Catholic bishops, because that conference reported precisely the same thing. In 1979, in a paper called *Witness to Justice*, that conference of bishops—they were not confronting any amendments; they were commenting on a factual situation—said this, in summary:

"Homosexual men and women are being faced with discrimination in jobs, experience and housing. Indeed, many people of homosexual orientation who comply with the law—men and women—experience fear and loneliness in their daily lives." They go on to give examples of that.

What we know beyond any doubt, if there was any doubt, is that persons exhibiting that sexual orientation are deprived of access to public services, as the Irish, the Jews, the French Canadians and dozens of other groups were. The purpose of this legislation is not to exalt their status, to permit them to break laws or to alter any of the fabric of our society, but to give to them the least they are entitled to as human beings, the same individual access in which their capacity and their needs can be evaluated by those who provide public, not voluntary, services.

I observe that human rights legislation of the type we are describing has always had that character. It is not a question of giving privileges, extra rights or special status, and it never was. It was always a question of inviting those who provide services to examine whether, on an individual basis, the applicant should be entitled to that service.

In this country, one can reject a man for a job if he is incompetent but not if he is black. One can reject people for housing if they are noisy or do not pay their bills, but not because they are Jews. What we say today is that it is now time to take the next step.

We are not alone in confronting this major social issue. Quebec took that step almost a decade ago. Those who are fearful of the consequences of taking the step will want to look very carefully at our sister province, which has lived under a regime in which its code was amended as this one is proposed to be, and almost all the consequences that were feared a decade ago have not occurred.

The federal government has said as well that it proposes to amend, if necessary, the Canadian Human Rights Code—

Interruption.

Mr. Mancini: That person should be ejected from the House for saying that.

Mr. Pouliot: On a point of order, Mr. Chairman: The minister is being harassed unjustly from a person in the gallery.

Mr. Chairman: I heard a comment. I did not see the person who spoke.

Mr. Gillies: Mr. Chairman, in view of the attention this debate is attracting and will continue to attract, may I suggest that you advise the gallery on the rules surrounding interjections in this House.

Mr. Chairman: Thank you. May I point out to the gallery that demonstrations of any kind are prohibited. No demonstrations, including clapping and otherwise, are permitted in the chamber.

Hon. Mr. Scott: The second point I want to make is that this bill was introduced by the previous government to ensure that the laws of Ontario would comply with the Charter of Rights and Freedoms. This amendment was not in the bill at introduction. It was introduced in committee, and when it was introduced in committee, it received support from members of all parties who were on the committee.

I suggest that this bill is required by the Charter of Rights and Freedoms. The Attorney General of Canada has justified his initiative to amend the Canadian Human Rights Code because he says he is obliged to do so by impact of the charter. How could that be so? The way it could be so is this: The charter is a document of great breadth. It prohibits discrimination against any lawful group, and included in that are the groups with which we deal today. Our code is constructed

differently. It is not so broad. What this amendment is proposed to do is to bring our code, as the federal code will shortly be brought and as the Quebec code has now been brought, into compliance with the Charter of Rights and Freedoms.

Some members of the House may feel there is doubt about the meaning of sexual orientation. I want to make one point about that. The dictionary meaning, the traditional meaning, has to do with homosexual, lesbian or bisexual orientation. Sexual orientation in this context or any other has nothing to do with bestiality, nothing to do with any offences that the law regards. For example, this law cannot and does not attempt to create an exception for acts that are prohibited under the Criminal Code. If an act is prohibited by the Criminal Code, no one need worry that this amendment will alter that in any way.

I suggest there are a number of things that this law, if passed, will not do. It will not disrupt the values of society. It does not speak to the values of society; it speaks to equal access to services. If members believe it will disrupt the values of our society, I ask them objectively to look at the experience in Quebec and at the experience in Europe where many countries and states have enacted an amendment such as this. I ask them to look at the experiences in some of the cities of the United States where amendments to municipal codes of this type have been obtained. In every one of these cases, there is no evidence that the fundamental values of society have been altered in any way by assuring to individual law-abiding citizens that their access to housing, to employment, to what have you, will be judged on their individual merit and entitlement.

I do not believe any member of this House would want a person's access to housing, to employment, to the benefits that the tax dollar buys to be refused on the basis of a perception that the person belongs to one group or another about which there are public conceptions that may or may not be accurate.

15:40

This law will not permit or require paedophiles to be hired by day care centres; it will not permit or require child molesters to be hired in schools. The law will remain that if a person is a child molester or a paedophile, regardless of whether he is homosexual or heterosexual, no school or day care centre is required to hire him. That law will always be in place, and this law will not affect that question one iota.

I respect profoundly the good opinion of my colleagues and the good faith with which they will approach this important debate. I know they have received, as I have, literally thousands of letters from one side or another of this issue inviting them to take positions. Though I have been here only a year and a half, I understand the pressure that such campaigns appropriately create on an individual member.

However, the reality is that we are making an important judgement about our society. The supreme obligation on us is not to support our party, right or wrong, but is, in the end, on the important questions, to make a judgement of which we can be proud when we look back over our lives and ask how we have honoured the human rights of our fellow citizens.

I sense that the difficulty some honourable members have about this amendment is dictated by one of two possibilities, both of which I respect. The first possibility is that it is opposed out of a kind of fear, and the second is that it is opposed on moral grounds. May I deal with each of those very briefly?

It is understandable that one would oppose a bill out of fear of the consequences. However, before doing so, every honourable member would want to examine the bill, the consequences and our experience to see whether those fears are objectively justifiable. In my respectful view, there is no evidence that supports the conclusion that the kind of fears that have been presented to us about the future of our society are justified by this amendment.

This amendment deprives no person of an existing right. There is no person anywhere in Ontario who loses a lawful right if this amendment is passed. It deprives nobody of the right to judge the competence of individuals objectively, whether it be for employment or housing. It does not alter the law of marriage. It does not downgrade the family as the central institution of our country. It does not alter or modify individual or societal values.

What it does is say that law-abiding members of this group will have access to services judged entirely on their merits and not because of some stranger's perception that they belong to the group or not.

I say to honourable members, before they vote against this amendment, if they are inclined to do so out of fear, which is the lowest human motive for acting—there is nothing wrong with acting on fear; that is what keeps one's hand off a hot stove—they will want to be satisfied that there is an objective, rational and logical basis for the

fear that motivates them. Fear is the one motivation we share with animals. There is nothing wrong with it, and we will use it, but only in those cases where there is objective evidence that the fears that confound us are warranted.

The second feeling I sense honourable members have is that the bill should be opposed for moral reasons. I am conscious that many honourable members, like myself, belong to an organized religion or, if they do not, have developed an ethical code that is important for them in the organization of their own life, as a religious code is to me and to others. But I do not believe this bill, properly understood, has anything to do with those moral values.

I regard it as a matter of some importance to make this point because, increasingly in the last two decades, we live in a pluralistic society in which there are among us—who have been here as long as the member for Cornwall (Mr. Guindon) and Scott—all kinds of newcomers from different countries who subscribe to different religions, who have different moral views and who sometimes have none. But we say that as long as they obey the law, their morality, the ethical code they select to govern the relations among them and with their god or their maker, is a personal matter for them.

Everybody understands that in order to make this system work, we must regard moral questions as personal matters, not governmental matters, because as soon as a moral question becomes a governmental matter, then we have a tyranny over which there is no control.

I say that particularly as a Roman Catholic. I thought this issue was decided when John Fitzgerald Kennedy went to speak to the Houston ministers in Texas in that first campaign. What the Houston ministers were saying to him was, "John Kennedy, you cannot be President of this country," and he said, "Why not?" They said, "You cannot be President of this country because you have a particular moral value as a Roman Catholic that makes you unsuitable." "Why would it make me unsuitable?" he asked. "It would make you unsuitable because you would act on your moral value and try to make it the law of the land. That would not suit Protestants, Sikhs, Hindus and Moslems."

For Catholics in public life, that was a critical moment because we were being told by the Protestant majority in the United States that we could not make a separation between our moral judgement and our determination to act in the interests of all our fellow citizens; that when push

came to shove, we would force Catholic values on everybody, whether Catholic or not.

John Kennedy put the lie to that not only in his words in Houston but also in the course of his presidency. Ever since Houston, I do not believe that in a pluralistic society, no matter how important our own moral values are, no matter how firmly we hold to them and no matter how they regulate every aspect of our lives, we can permit this Legislature to enact the moral values of anybody, no matter how firmly they are held.

The most recent illustration of that, and I will read it to members before I sit down, is given by Governor Cuomo of the state of New York, who, with the assistance of the Legislature of the state of New York, passed an ordinance almost precisely the same as the one we are looking at today.

He was invited to speak as a Catholic at Sunday service at St. John the Divine Cathedral in New York City on November 27, 1983. He was asked to address this question in relation to his responsibilities as a politician and in relation to his responsibilities under the Constitution, which for those purposes parallels our charter.

15:50

He commented on the paradox that one could have strict moral values that govern one's own life and still not force those values on others who do not share them. That is a paradox. If you believe strongly that something is against the law of God, it is a paradox if you will not force everybody to do exactly what you think. He commented on that paradox and here is what he said:

"The paradox was most recently raised in a letter I received on the executive order I issued banning discrimination against homosexuals in state government. The writer attacked what I had written. He took a stand on the executive order that most of us here today would disagree with. Yet the question he raises of religious belief and governmental action is a valid one. In one form or another, all of us who mix our faith and our politics, certainly those of us concerned about the stewardship of power, must be ready to answer it.

"In part, the letter says the following: 'Governor Cuomo, you call yourself a Christian. Yet how can you claim to be a Christian when you go out of your way to proclaim the right of people to be what is an abomination in the sight of God?'"

The Governor answers that: "The answer, I think, drives to the very heart of the question of where private morality ends and public policy begins, how I involve myself in the political life

of a world broad enough to include people who do not believe all the things I believe about God and conduct. Am I obliged to seek to legislate my particular morality in all of its exquisite detail? And if I fail, am I then required to surrender stewardship rather than risk hypocrisy?"

The Governor goes on: "The answer, I think, is reflected in the one foundation on which all of us as citizens must try to balance our political and religious commitments: the Constitution"—or the charter.

"Those who founded this nation knew that you could form a government that embodied the particular beliefs and moral rules of one religion. They knew that choice was available to them. Indeed, at that time, there was hardly a government in the world that operated otherwise. But to secure religious peace, the Constitution"—and our charter—"demands tolerance. It says no group, not even a majority, has the right to force its religious or moral views on any part of the community.

"It said that where matters of private morality are involved"—I am not talking about breaking the law—"belief or actions that do not impinge on other people or deprive them of their rights, the state has no right to intervene."

He goes on: "This neutrality did not forbid Christians or Jews or Moslems to be involved in politics. Just the opposite. By destroying the basis for religious tests, by destroying the basis for making people's beliefs and private lives a matter of government concern, it secured that involvement, ensured it and encouraged it.

"Our Constitution"—and our charter—"provides that there are areas the state has no business intruding in, freedoms that are basic and inalienable. In creating this common political ground, it created a place where all citizens could stand, a place where we could tolerate each other's differences and respect each other's freedom."

That is the meaning of this amendment.

Mr. Cousens: I rise to follow a very eloquent presentation by my friend the Attorney General. I have listened with care, trying to understand the position that is being taken by the government and by the third party in presenting this amendment.

I share some of the concerns that are being presented: to see that our society respects all members of the society, whoever they might be and wherever they might live, in spite of their age or their youth, their wealth or their poverty, their contribution as some might see it, their ability or their disability, their sexual orientation. All

people within our society are to be respected, understood and appreciated.

As a legislator, I see that as an implicit responsibility we all have, to make sure we continue to build a framework and a lifestyle in a society that has as its basis this fundamental respect for all people. I am very conscious of the obligation we have to do what is right for all people. I have some concerns with what could happen with the proposal before us, in making special reference to sexual orientation. I would like to reflect on my concerns and table them for public inspection and review.

In 1982, when Canada completed the major reorganization of its legal framework with the enactment of the Canadian Constitution and the Canadian Charter of Rights, there was no reference to sexual orientation. There was a conscious decision by the leaders of our country at that time not to include sexual orientation because, in their minds, section 15 of the charter said it all:

"Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

When those words were framed and agreed upon to become part of our new Constitution, there was no constitutional imperative to include sexual orientation in the charter. Bill 7, as prepared by this ministry, is described in its title, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms. I agree with the original intent of Bill 7, but the new amendment places within the bill a condition that is not originally part of the Canadian Charter of Rights or the Canadian Constitution. Sexual orientation is not contained in the federal charter.

Since the original intent of Bill 7 was to bring Ontario statutes into conformity with the federal statute, I question why, in our wisdom, we now wish to give special status to one group. I believe strongly that section 15 says it well for all people and, therefore, I make two points. First, the amendment is fundamentally out of order if the intent of Bill 7 is to be in keeping with the Canadian charter and to have those amendments in that way. Second, this amendment is not needed because all people are covered by section 15.

If we need to have laws to protect people in our province from discrimination, let us enact them.

Let us come forward, and in those sections of the law where we can help guarantee the rights of all people, let us do so. I do not have the legal background that the Attorney General brings, but speaking as one who has great respect for the traditional family unit, I believe, again as a legislator, everything I do has to be looked upon as going back to the very basis of what makes up our society.

I believe the traditional family unit, the heterosexual relationship of mother, father and family people around them, is probably the most important unit of our society. I believe that, and as part of the unit, I want to encourage the development of the family. I do not want to undermine it. I do not want to see the family in any way eroded or changed but to allow it to be strong. There seem to be so many pressures within our society that would undermine what the family unit is all about. As a legislator, I want to build up family values.

16:00

I believe as well that most Ontarians are empathetic to practising homosexuals. However, I believe this amendment erodes the status of the normal family by equating this legal status with homosexual union. I am concerned about the long-term social impact of promoting homosexual unions as marriage. I repeat that nothing should be allowed to undermine, in the minds of my children or the children of others or in the eyes and minds of all our society, that the family unit is supreme in our Ontario. In coming along with a special enactment, it in some way equates another group with the family unit as I have known it, and this could have long-term ramifications.

As people come and study the law and its impact, what will be said when they ask, "What is more important?" I come back to a belief that comes from my background, that says the family is of the most utmost importance and anything I do as a legislator should build up the family; it should nourish and strengthen it. In that respect, I speak strongly for the family unit, with the concern that this amendment could in some way erode its importance.

The final point I want to make is that this is all happening very quickly; Ontario is changing so rapidly before our eyes. I am prepared to accept change, but when changes start to affect the very fabric of what our society is all about, there should be a full and complete debate by all members of our society so they can participate in the thinking processes that will allow them to understand the long-term impact of this amend-

ment on what they want this province to be. I fear there has not been that opportunity.

Mind you, we have been getting mail in droves on both sides of the issue. The phone has rung and people have talked with us. However, to what extent has the issue been discussed throughout our province so that everybody is aware of what it is we are saying?

If we, as a society, can abolish discrimination against all people, I want to do it. If at the same time we can build those institutions that make for a strong society, then I want to do it. If we can do it in a way in which all the people of our province understand what it is we want and are trying to do, I want to do it, because I believe what we are doing here today has great importance for the future of our province.

In speaking against this amendment, I do so in the hope that we can find ways to end all discrimination. When the Attorney General speaks with eloquence about the importance for civil rights, human rights and civil libertarians, I endorse much of what he says, but I worry about how we are doing it. I believe he was right when he first came forward with his Bill 7; it did not have within it the amendment as it is now. At that point, he understood how the federal Constitution and the Ontario Human Rights Code could coincide and work together.

With this lately-brought-forward amendment, I am seriously concerned about what he is doing or what the government might do. Assuming there will be a vote and we will all consider what we want to do according to our own consciences—we do, and I respect that—may we do so with the knowledge that what we are doing could have serious negative ramifications. I do not even know what they are. It is only that if I can put the family as number one, I will continue to do so.

If there was a conscious decision by the federal legislators not to include this, I suggest we not do it now; let us instead work wholeheartedly to end discrimination and to continue to build a society that is fully strong.

Ms. Gigantes: I have long anticipated this moment, and it is with great pleasure that I rise to speak in support of the five amendments from section 18 of Bill 7 that we are considering, amendments to the Human Rights Code to prohibit discrimination on grounds of sexual orientation in housing, in employment, in services, in contracts and in membership of vocational groups such as trade unions and professional associations.

I believe these amendments to the Ontario code to be consistent with the Canadian Charter

of Rights. I further believe that section 15 of the federal charter, the equality rights section, obligates us to change our Human Rights Code and to say it shall no longer be legal to discriminate against homosexual people in Ontario. I also believe residents of this province, in their large and tolerant majority, are satisfied to see us undertake this reform on their behalf.

It is more than a year since I first tabled the private member's bill, Bill 37, which is summed up in the section of Bill 7 we are now considering. Bill 7, as members will recollect and as has been pointed out earlier, originally contained no reference to the Human Rights Code. It was a bill that proposed to bring Ontario legislation in line with the equality rights section of the Charter of Rights, but strangely, it did not provide for any review and improvement of our Human Rights Code.

In the late summer of 1985, I read that the Attorney General intended to expand Bill 7 to include the Human Rights Code and to prohibit sex discrimination by sports associations. I wrote to ask him to consider amendment of the code to prohibit discrimination based on sexual orientation. His response was not encouraging; so I decided to put forward the amendments now included in section 18 as subsections 1 through 5.

The standing committee on administration of justice began public hearings on Bill 7 in early February 1986, and within a few days I tabled and had circulated the amendments before us and other amendments related to the rights of psychiatric patients and handicapped people. The justice committee heard public representations in February, March and April 1986.

Members will forgive my taking time to recount this chronology. Since February, a well-organized campaign against these provisions of section 18 of Bill 7 has been carried on in Ontario. One of the false contentions in that campaign has been that the amendments to section 18 somehow have been sneaked into Bill 7, that those opposing the section have not had the opportunity to register their opposition through a public hearing process and that a sort of conspiracy has transpired to bring members of all three parties to approve section 18 in the report from the justice committee. This is a noxious theory. It does not match the facts, as members know, and I fondly hope it is now finally laid to rest.

16:10

Being the proponent of these amendments to section 18 has been an enriching experience in personal terms. It has provided learning, pain

and joy that I would not have wished to miss. It has brought new friendships and a deeper understanding of the fears that haunt us as human beings. I would like to take a few minutes to speak about that experience. It is an experience directed in large measure by the organized opposition to section 18, which has taken different forms at different times during the past several months.

The first line of assault was that the prohibition against discrimination based on sexual orientation would leave society powerless against those who perpetrated acts of paedophilia or bestiality. This kind of suggestion tends to startle and confuse the nonlegal mind, and it certainly succeeds through quasi-legal style in associating people of homosexual orientation with some of the most repulsive acts of sexual assault.

The question we were posed was, how do you define sexual orientation? The demand we were confronted with was to find a definition of sexual orientation that would mean the Ontario Human Rights Commission would not force us to employ, house or associate with people who victimize children and animals.

The chairman of the Ontario Human Rights Commission, Canon Borden Purcell, would laugh at this suggestion, of course. He is a good-humoured man. He would carefully explain that the Human Rights Code does not have precedence over legislation, that the Criminal Code of Canada makes acts of paedophilia and bestiality illegal and punishable and that the Human Rights Code cannot undo the Criminal Code.

But I very much doubt he would laugh at the implication that homosexual people are more likely to commit such crimes than heterosexual people. That is not a laughing matter. It is a slanderous distortion of the truth. The truth, as we are painfully forced to recognize, is that the vast majority of such crimes are committed by men who are heterosexual. Their victims are usually young girls, often members of their own family. Sometimes the victims are young boys.

A few months ago, a member of this Legislature from another party approached me and asked whether he could speak to me "as a mother." "Sure," I said, "I am always glad to speak to anyone as a mother." "Well," he said, "I want to ask you how you feel about this homosexual thing." I said, "Do you mean my amendments to Bill 7?" "Your amendments?" he said. "Of course," I said. "Why would you do something like that?" he asked. I explained quite simply, "To stop unfairness." "But are you not

concerned about the effects on children?" I explained my understanding of the facts of child assault. "Oh, I think you are wrong," he said. "Even in my little town it is those people who have caused the problems for children." "Well," I said, "I think there is a lot you do not know about your little town."

The whole poisonous attempt to smear homosexual people by association with despicable sexual crimes has forced me to reflect on the very nature of our judgements about sexual assault. When we get to the bottom of it all, I am afraid we are confronted with a social system that judges assault on little boys to be much more serious than the more frequent assaults on little girls. That is why the assaulter of little boys, who is assumed to be homosexual, is the ultimate social pariah. That is why anyone who is assumed to be homosexual is considered to be fair game for the accusation of paedophilia.

The question of the safety and welfare of children has been a lurking theme of the organized opposition to the initiatives before us. It was projected subtly in another of the lines of attack employed by the organized opposition. This time the proposition being advanced was that to protect homosexuals against discrimination in employment, housing, services, contracts and membership in vocational associations, we would be nullifying the opposite-sex provisions of the Ontario Marriage Act and changing the sections of the Child and Family Services Act so that homosexuals could automatically adopt children.

For those who are unfamiliar with the law, the court and politics and who have very traditional views of human relations, this kind of attack inspires real anxiety. One can explain that the human rights commission cannot write laws; only our parliaments write laws, including our laws on the Ontario health insurance plan and social welfare legislation. One can underline the basic principle of our laws concerning child welfare—namely, the welfare of the child—but one wonders how reassuring this message seems to people of good faith who have been told that some wicked and uncaring politicians are trying to "enshrine rights for homosexuals."

There is a view of who homosexuals are and how they behave in their lives that has been expounded in written and verbal forms and that is so ugly that it sticks like undigestible matter on the roof of the mind. Most members of this Legislature and a very large number of the electorate have read or heard these views from groups such as Realwomen of Canada, Ken

Campbell and friends, etc. A school board trustee came before the standing committee on administration of justice and proposed to us that homosexuality is an addiction and had to be treated as an addiction. Realwomen has distributed a leaflet that claims homosexual people substitute recruitment for their frustrated procreative urges; they seduce and recruit heterosexual young people because they cannot have their own children. Lots of homosexuals have children, and this type of noxious nonsense is poison in our minds.

Other groups from as far away as the United States and British Columbia have circulated in Ontario brochures and letters that are semipornographic in their sexually explicit ugliness. All these materials are designed to create and encourage fear and loathing of homosexual people; they encourage hatred, and they have the effect of promoting discrimination. We know how far the effect of allowing the promotion of that discrimination can go. We have witnessed murder in this province by young people who thought it was okay if the victim was a homosexual.

I do not wish to suggest that most of the organized opposition to the prohibition of discrimination based on sexual orientation has been of this nature—most has not—but the point is that this type of ugliness has been used to inform the fears and feelings of people who do not have easy access to other sources of information.

The strange thing about the fearmongering that this type of campaign represents is that it treats homosexuality as if that state were a contagious disease. Coming as it does from individuals and groups which have demonstrated enormous, long-lasting, everlasting concern about the power of heterosexuality to wreak havoc with human lives, this claim that homosexuality is a contagion which can undermine social structures seems inconsistent, to put it mildly. If the sexual attraction between men and women is so powerful that only the strictest social structures can contain it, how can the existence of homosexual people pose a threat to heterosexual sexuality? It passeth understanding and it passeth credibility.

Given the organized opposition to these amendments, how do we provide a quiet and firm explanation of why we want to change our Human Rights Code? First, we speak to the current legal situation. In Ontario today, it is legal to deny rental accommodation, a seat in a restaurant, a job, a mortgage or a membership in a union to someone only because that person is

named as a homosexual. That means the man in Hamilton East who was recently fired after many months in his job at Robinson's as a sales clerk, and the woman in Ottawa Centre who was forced out of her co-op unit, both of them in the past year, cannot make a complaint to the Ontario Human Rights Commission about the unfairness they have suffered. We must speak of these acts of discrimination, and we must point to the real suffering they inflict on real people in Ontario.

16:20

We must also explain carefully and calmly that to provide protection from employment discrimination on the basis of sex, race, colour, creed, age or sexual orientation is not to provide that a Jew must be hired by the Young Men's Christian Association, that a white must be hired by the black Metropolitan Church or that a homosexual must be hired by the Big Brothers of Canada. Protection against employment discrimination is provided in section 4 of the Human Rights Code which these amendments would, in part, amend. Section 4 of the code is limited by section 23 of the code, which reads as follows:

"The right under section 4 to equal treatment with respect to employment is not infringed where,

"(a) a religious, philanthropic, educational, fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by their race, ancestry, place of origin, colour, ethnic origin, creed, sex, age, marital status or handicap employs only, or gives preference in employment to, persons similarly identified if the qualification is a reasonable and bona fide qualification because of the nature of the employment."

Clause 23(a) clearly provides that groups or organizations that have as their purpose the provision of services to special categories of people have the right to select employees in accordance with a purpose of the groups or organizations. Further, it is important to note that the Human Rights Code in none of its clauses provides protection against discrimination in the selection of volunteers. The code provides no rights for anyone of any race, creed, sex or handicap to be accepted as a volunteer by any organization. Big Brothers can and does select the volunteers it wishes and will continue to be able to exercise full discretion in volunteer selection when section 18 is approved.

In the rental accommodation provisions of the code, a variety of exemptions is contained in section 20, including that a landlord who lives in the building or whose family lives in the building

and shares a bathroom or a kitchen with a tenant may choose not to rent to any particular person, even if the reason for rejecting a person is on grounds of sex, race, creed, handicap or other enumerated ground. Section 21 of the Human Rights Code, which allows exemptions of this kind, will remain in effect when we approve the clauses of section 18 we are now considering.

If you walk into a restaurant tomorrow and somebody decides you are a homosexual, you can be refused service and you cannot complain to the Ontario Human Rights Commission. If I have been a good mechanic in a good garage for four years and the owner decides I am a homosexual, I can be fired and I cannot complain to the Ontario Human Rights Commission. It is like being a suspected Jew in Nazi Germany; it is enough for someone to say you are a homosexual and you are dead in terms of rights to employment, housing, membership or a pizza.

Let me tell a real story to illustrate the arbitrary nature of homosexual life in Ontario. It is arbitrary because that is the way we have left it. Four months ago, a young man sporting an earring arrived in the NDP research office at Queen's Park. He had just been told he would not be hired for the job he might have had. Why? Because he was obviously gay. He was outraged. Not only was he not gay; he had no patience for those people. He wanted the NDP to defend him against the unfair treatment he had experienced. We explained we could not help; no complaint is possible in current law. I am sure he would not wish us to change the current law. He has no time for those people. It was his problem; it was not a problem of homosexuals.

None of us can or should defend ourselves against such a charge. After all, there is no way to prove that one is heterosexual, that deep in one's soul one is attracted to people of the opposite sex. One can never prove that. There is no reason we should have to do that for a job, an apartment, a pizza, a mortgage or a union membership. When we can do a job well, when we are good tenants and good neighbours, when we can pay for a pizza, pay the mortgage or work well with our associates, what right does anyone have to deny us those simple life needs because they think they can challenge our sexual orientation?

As a woman with very strong and traditional responses to the challenges of family life, child welfare and my own natural sexual urges, I find male responses to the "threat of homosexuality" to be terribly offensive. There are women, "Yassuh, Boss\$" women, who have organized to support the notion of the Coalition for Family

Values. I feel deeply offended by the understanding that some men will organize in religious and business groups to say that men who are not like them are traitors to a system where sex is a rightful means of oppression. Some of those men are hypocrites. Some are not telling the truth. Some know they are not heterosexual. Some of those women are strangers to what is best in the female sex, directness and honesty.

There are 125 elected representatives in the Ontario Legislature; 10 are women. If the sexual numbers and the social power were reversed, I believe the clauses of section 18 relating to sexual orientation might not even be necessary. Women do not feel threatened by homosexual people, male or female. It is the maleness of economic and social domination of our society that is threatened by this reform; not the womanness or the childness, but the maleness that so profits by its domination through being male.

Children do not vote and women came to vote but recently. It is my humble opinion that the hatred and victimization of homosexual people is part of a male-dominated system, dealing with men who do not join as if they were traitors. There is no task I have ever undertaken that has made me feel more radical than this one.

I look at Quebec, where sexual orientation has been excluded as grounds for discrimination for almost a decade. Family life is intact in Quebec. Small business still flourishes. The National Citizens' Coalition still has members. The Catholic church has numerous adherents, even now.

Speaking personally and professionally, I have never felt that the "seductive and recruiting urges" of homosexuals undermined family life in Ontario or anywhere else. When our churches and others become more truthful about heterosexual life and what it should imply, then I believe more of us who recognize religion as a power superior to politics or other earthly matters may come back to a reflective and reformed church. Many churches have done that.

In the meantime, in politics we must look to our best and most humane urges. We want tolerance. We want peace. We want civility. We want open avenues of respect and love among people. Politicians never really lead in a democratic society. As Emiliano Zapata said, "A strong people does not need a strong leader."

The best we can do as democratic politicians is to give voice and stature to the best in the people who give us the honour of representing them. The people we represent wish us to show them at

their best, in their great and active goodwill to others. We will express their best nature, their urge to knowledge, understanding, acceptance and love, by supporting this kind of change to our Human Rights Code.

16:30

Mr. McKessock: I want to take a few moments to speak against section 18 of Bill 7, where the words "sexual orientation" have been inserted. Section 18 would amend the Human Rights Code to include "sexual orientation" as a prohibited grounds of discrimination. It would make it illegal for an employer or landlord to turn down a person because he or she is a professed homosexual or lesbian.

I have four reasons for opposing section 18 of Bill 7: (1) because of the views and input I have received from my constituents, (2) because of the concerns of the Big Brothers of Canada, (3) because of the political ramifications of passing this section and (4) because of my personal views on the issue.

I would like to deal with them in the order I have given them, dealing with my constituents' views first. I have received a very large volume of mail and phone calls on this issue. I have received only one call in favour of the amendment, and all the mail is in opposition. This past week, I received a few letters from outside my riding, from Kingston and Toronto, supporting the bill. These past two mornings, our phone lines have been ringing continuously with people calling from the Metro Toronto area stating their opposition to the amendment.

My constituents' concerns can be divided into two categories, those opposed because of the teachings of the Bible and those opposed because of the fear of the consequences of passing section 18 of the bill. Landlords fear the openness this bill will give the homosexual community. Employers, especially those who hire people who deal with children, are afraid of the influence that will be transmitted from teacher to pupil. Parents, who have a continuous struggle to raise their children with proper morals, see a deterioration of standards and ethics.

The public has not had a chance to be heard on this amendment, and I am going to give some of them that chance today by passing on some of the concerns sent to me by way of letters. I will not indicate who the letters are from but will read some of the comments sent to me.

One letter reads:

"I am much concerned about an after-second-reading amendment to Bill 7 to prohibit discrimination on the basis of sexual orientation in

respect to services, accommodation, contracts, employment and vocational association. This amendment could give special status to homosexuals and lesbians. It could make it impossible for associations and individuals to exclude these persons from positions in Boy Scouts or school boards, to set standards for its teachers and for landlords to exclude such persons from family apartment buildings. With the great moral decay in our society, it is paramount that we surround our children with good moral examples. At one time, teachers were models for their pupils, but frequently this is no longer the case.

"It is my understanding that 'sex' under the Canadian Charter of Rights means gender, not orientation. The orientation issue was discussed and defeated in 1981. This amendment must be withdrawn. Please write me of your position on this issue. Be clear and precise in regard to where you stand."

A letter from another constituent reads:

"It causes me and my family great dismay to know that the government of Ontario is considering amending the Human Rights Code to give special rights and privileges to homosexuals. They enjoy the same freedom that the rest of society has, such as speech, religion, association, also the same access to social services, government, business and politics. They already have equal rights under the legal system and the Constitution. No other minority group's behaviour or preference is protected by human rights laws. I resent the state forcing me to hire, rent to, associate with, etc., other people whose lifestyle is so different from mine.

"Gay rights groups have asked that they be allowed to teach their lifestyle as acceptable behaviour for children. Think about your grandchildren or relatives being exposed to this. Please do not give in to the pressure from gay activists to amend the code, but listen to the traditional society, uphold Christian values and laws our country has been built on."

Another letter reads:

"This letter is to let you know I am opposed to section 18 of the bill, which is amended by inserting 'sexual orientation.' The term is not clearly defined. It could include relations with children. A homosexual's lifestyle is limited as to employment. A typhoid carrier may not work in a restaurant, for example. The health factor is important. Homosexuals use the body for an unintended purpose and can lead to disease, even AIDS.

"If this bill is passed, crimes against children will increase. Homosexuals could not be refused

positions as teachers, school janitors, Scouts and Guides leaders, Big Brothers and Sisters—any position of influence where our children are concerned. It is not necessary to have a separate section. Everyone is covered under the present bill as far as discrimination is concerned. What about the rights of the straight people? I would like to see this put to an open vote. We hear so much about rights and so little about responsibilities. May you be wise and firm."

I note that every one of these letters to me seems to have some little difference in the view being presented.

Another one reads:

"What I am concerned with is an amendment which was made to the bill after second reading, an amendment made in committee. The change the committee made that I am opposed to is the addition of the word 'orientation.' I agree that discrimination between sexes is wrong, but I believe this refers to gender, not sexual orientation. 'Sex' in the charter refers to gender, not orientation. The use of the term 'sexual orientation' was discussed in 1981 during the adoption of the charter, and the decision against its use was made.

"I believe it to be a terrible mistake for the Ontario government to give what I feel would be a stamp of approval written in law, making it impossible to discriminate against abnormal sexual behaviour. I hope that this is not the intention of our government and that measures will be taken to correct the language of this bill before it is passed. I am concerned for the welfare of my family and afraid of the implications which may result if this bill is passed as it now reads. I certainly hope that you will do all you can to have this situation corrected. I would appreciate your reply stating your stand on this bill."

Another constituent writes:

"I wish to express my opposition to Bill 7, section 18. I am sure you will represent me in a positive manner regarding the same."

Another constituent writes:

"We are very much opposed to the amendment made May 6, 1986, that was introduced and carried to insert 'sexual orientation' in the Human Rights Code. I understand it is coming up for third reading this month. Would you please do your best to see that it is defeated? If passed, it will extend a legal support to homosexual behaviour, which is disgusting, to say the least."

Another constituent writes:

"We are deeply concerned about this amendment that was introduced in parliament to insert 'sexual orientation' in the Human Rights Code.

We feel this would unreasonably restrict the rights and freedoms of many people and would be inappropriate and interference with the moral choices and community standards of Canadians. We are thankful we have this privilege of writing and appealing to you and for this land we live in. May God bless you abundantly."

Another constituent writes:

"The purpose of this letter is to inform you that I definitely oppose the up-and-coming legislation that would allow homosexuals the right to teach children. As far as I am concerned, our rights are being infringed upon more than the homosexuals' because now our children's safety and morals are being put in jeopardy by them. Why should we, a Christian nation founded on Christian principles, give rights to a group of people that will remove the blessing of God from us?"

Another constituent writes:

"We, the undersigned, as Christians, believe a serious dissolution and erosion of Judaeo-Christian principles is afoot in society, and this must be stopped. This amendment, we believe, will open a floodgate of pernicious inroads into an already shaky and unstable structure of values in our society. We thank you for all efforts that you will extend to defeat this amendment."

Another constituent writes:

"Those people who are lesbians and homosexuals already have the same rights as heterosexuals, so that if passed, the amendment will give them a special status, and in effect, take away the rights of those who do not wish to associate with them or have their values thrust upon them or taught to their children. If passed, it could cause untold problems for those who are trying to teach correct principles and morals. Please inform me of your thoughts and intentions with regard to the above."

16:40

Another constituent writes:

"We understand that an amendment now included in Bill 7 is sexual orientation. Sir, the homosexuals have the same legal rights and fundamental freedoms as do the heterosexuals. We do not feel this extra legislation is necessary.

"We too are Canadian citizens. We hold to Godly morals. These morals have made our country strong in freedom and health and welfare. We feel strongly that we, as parents and citizens, should not be required to hire or have teach our children people who have chosen a lifestyle contrary to our moral standards. The homosexuals have the right to follow what they will or want, but it is wrong to force that on us.

"We request that this amendment be separated from Bill 7. If necessary, it could be debated in public as a separate piece of legislation. Thank you for reading this letter. We strongly urge you to vote against having this sexual orientation in the Ontario Human Rights Code."

I have a petition that was signed by a great number of people from St. Peter's Parish, Durham, and St. Paul's Mission in Dornoch. It reads:

"The Catholic bishops of Ontario, gathered in plenary session in Toronto, September 29 to October 1, are opposed to the present form of omnibus Bill 7 now before the provincial Legislature. Much in this bill is good and quite acceptable. However, section 18, Nos. 1-5 to amend the Human Rights Code of Ontario, prohibiting discrimination on the ground of a person's sexual orientation, is unacceptable.

"The bishops support basic human rights for all members of society, including those with homosexual orientation. However, the church, and the Judaeo-Christian tradition, carefully distinguishes between homosexual orientation and homosexual behaviour. For the church, a homosexual behaviour or lifestyle is contrary to Christian morality, and any law that leaves the door open for such a lifestyle will cause great harm to society.

"Bill 7 does not make this crucial distinction. Indeed, the very ambiguity of the phrase 'sexual orientation' lends itself to a total, unacceptable application. We believe that Bill 7 in its present form will have the social impact of promoting the recognition of homosexual unions as marriages and also seriously restrict the freedom of churches, governments, societies, business and schools to set criteria of conduct for their employees.

"The demand for social support for homosexual couples has already surfaced in Toronto, as was stated in the *Globe and Mail* on September 30 under the heading 'Family Benefits Should Be Offered to Homosexual Employees, City Was Told.' Bill 7, if passed as it is, will erode the status of normal families by equating their legal status with that of homosexual unions, and so we deplore the attempt to pass Bill 7 without that widespread consultation and discussion which will permit the citizens of Ontario to express their will concerning it."

A letter that appeared in the October 28 issue of *Town and Country* under the heading "Sexual Orientation" reads:

"It is hard to believe that sexual orientation is to be included in the Human Rights Code. But

then I'd believe almost anything today. Should this measure go through, our young folk will have no protection.

"The green light will be given to those who interfere with young children, and open sodomy is legitimized. Church groups will not be allowed to be selective when choosing youth leaders, otherwise they face charges of discrimination.

"I agree with what Rev. Hudson T. Hilsden feels. His coalition for Family Values must be supported by all rural families, whether Protestant or Catholic. Legitimizing homosexuality and lesbianism undermines our social fabric."

Another constituent writes:

"As a member in your riding, I am writing to take exception to section 18 of Bill 7. Although I support basic human rights for all members of society, including those with homosexual orientation, I am concerned about a bill which may promote the recognition of homosexual unions as marriages and at the same time will restrict the freedom of churches and other social agencies to set criteria of conduct for their employees. May I respectfully urge that the government allow time for public input in this matter."

Another constituent writes:

"Concerning Bill 7, section 18, I personally do not believe in homosexual practising people in our churches, especially in our schools. This is against all moral behaviour as laid out in the Bible. As I am a firm believer in the moral teachings of Christ, I want to stand firm against it."

Another constituent writes:

"This is to inform you that you speak for us in parliament. We are not in favour of homosexuals in our house."

Another constituent writes:

"We do not intend to expound on the rights or wrongs of the homosexual person, nor can we pass judgement on these individuals. We do, however, condemn legislation by our elected members to allow these people positions of influence in Christian institutions. We would like to see you, Mr. McKessock, use your influence to have a recorded vote when this issue comes to the floor. Needless to say, we could not support you in the future if you were in favour of this bill."

Another constituent writes:

"I am writing to urge the powers that be to postpone the passing of Bill 7 in its present form. Much of the bill is good, but section 18 is deplorable. This will only promote the recognition of homosexual unions as marriages, thus eroding the status of normal marriages. Please,

Mr. McKessock, oppose this bill. I think society really has enough problems."

Another constituent writes:

"I am opposed to this amendment as it tries to legitimize what is essentially immoral behaviour. I do not mean that the homosexual should be denied a livelihood, but that he himself, by his choice of lifestyle, has restricted some of the choices that he has available to him, and this is something we all have to deal with when it comes right down to the truth. Therefore, I hope that you will vote against this amendment when it comes up for third reading. It could open up a real can of worms. Thank you for all your hard work and support in the area in the past."

Another constituent writes:

"I would like to register my opposition to amendment 18 to Bill 7, sexual orientation. It is very vague and could lead to legal support to homosexuals and other sexual behaviour. The legislation could affect the traditional rights of legal groups to hire only those staff members whose lifestyle is faithful to beliefs and practices of the religious community.

"Such an amendment could remove the unique status of marriage and the family as a fundamental unit of our society. The amendment could lead to the eventual legalization of homosexual and lesbian marriages and child adoption. The government and other agencies could be obliged to extend all spousal insurance and other benefits of school and church to function with the moral standards of Canadians.

"I would like to thank you for your good government we have enjoyed compared to other parts of the world. Let us keep it that way."

The Catholic Women's League writes:

"At our executive meeting on Monday night, we discussed the abovementioned bill and wish to oppose this section of it. We feel that a clear distinction must be made when the phrase 'sexual orientation' is used, as we are not in favour of promoting homosexual behaviour. This letter is on behalf of 158 ladies that belong to Holy Family Parish CWL. We urgently request the government to postpone any action on Bill 7 until the citizens of Ontario have been able to discuss it and express their views."

Another constituent writes:

"I understand that a bill in the provincial Legislature is about to be passed which would allow homosexuals and other sex deviates to teach in our schools, both Sunday and day school. I understand too that it is likely to go through because of our wonderful 'Charter of Rights.' I, like many others, have little or no

experience with these people, but being a war veteran, you can imagine that I have seen more than most people. It is hard for ordinary people to imagine the sexual drive of most homosexuals. I wish to register my objections to this bill being passed. I would also like to say that our Charter of Rights has become a door to allow criminals and other objectionable characters to do as they wish in our society."

16:50

Another constituent writes:

"I am opposed to section 18 Nos. 1-5 of Bill 7. How far do we go before the entire fabric of our society is rotted away?"

Another constituent writes:

"It has been brought to my attention by the Methodist Church, Williamsburg, that a bill is about to be passed. I believe it is called the sexual orientation amendment to Bill 7. I would earnestly plead that you oppose this. Already, many of our young children, especially boys, have been sexually abused by teachers, and even a boys' choir leader, in our area. I fear that those acts may become even more numerous if those types of people are allowed more freedom. For the sake of our children, please oppose this amendment."

Another constituent writes:

"As a concerned citizen of Ontario, I am asking you to exercise your power to have the sexual orientation amendment removed from Bill 7 before it is passed into law. I feel sure the children and youth of our community who already suffer because of the "new morality" trend will suffer more if our social agencies, day care centres and schools could be forced to employ those whose manner of conduct and sexual orientation are incompatible with the established purposes and guidelines of the institutions.

"I do not write this to fight the homosexuals. I feel deeply sorry for anyone in this condition, but I do feel that they presently enjoy the same legal rights and freedoms, such as employment, free speech, freedom of association, freedom to exercise their religious preference and to conduct their own business, as the rest of us do. I humbly ask you to use your power to have the sexual orientation amendment removed from Bill 7 before it becomes law. Could I have a reply? I am a concerned citizen."

Another constituent writes:

"May we please place before you our concerns about the proposed amendment. We agree that it is proper to remove discrimination in areas over which people have no choice—race, colour, place

of birth, age, sex. It appears that the gay world seeks extra-special status, to have the privilege to choose their lifestyle yet deny the balance of society the privilege to choose our response. We also are dismayed at the way these amendments are being pushed into law. May we ask that these six amendments in section 18 be removed before the final reading. We shall continue to pray for all who govern us and ask that God's wisdom will prevail."

Another constituent writes:

"I wish to voice my opposition to Bill 7, the insertion of 'sexual orientation' in place of 'sex.' In my estimation, it makes this a potentially dangerous bill. 'Without discrimination of sex' refers to male or female individuals; 'without discrimination of sexual orientation' transforms this bill to condone homosexuality.

"Such protection for an employee who is an unwise choice could place your children and mine, as well as our grandchildren, at the mercy of a janitor, teacher or club leader whose unwanted fondlings could traumatize them for life. We daily continue to search for unscrupulous abductors and murderers who have violated the trust of our children.

"Alteration of this bill would lead to escalation of these conditions and legislate away the protection of the innocent. As the bill presently reads, all people are covered where discrimination is concerned. Let us preserve it as such."

I have one more letter; then I shall move on to my other two points.

A constituent writes:

"With regard to the amendment introduced and carried to insert 'sexual orientation' in the Human Rights Code of Ontario—specifically referring to Bill 7 to conform to Section 15 of the Canadian Charter of Rights and Freedoms—I am writing you out of concern.

"If this amendment is legislated, it could mean the end of Boy Scout and Girl Guide groups as well as other children's and young people's clubs, simply because parents will not allow their children to belong."

I will stop reading those letters at this point. It would be a good point to move on to the second part, in which I would like to talk about the concerns of the Big Brothers.

The Big Brothers of Canada cannot understand why the term "sexual orientation" is being added to Bill 7, which is to bring the Ontario statutes into conformity with section 15 of the Canadian Charter of Rights and Freedoms, when the Canadian charter makes no reference to sexual orientation.

This whole idea was soundly defeated at the hearings held at the time of the charter. The Big Brothers of Canada, who have 175 member agencies in Canada, 65 of them in Ontario, do not want this amendment to pass. Their policy reads: "No known homosexual shall be approved as a Big Brother." They want to keep it that way. They believe private organizations should have the right to uphold and maintain their own values and beliefs. They believe the communities, the families and the children they serve expect them to deploy volunteers who reflect the dominant values of the country.

Now I will move to my third point. I would like to deal with the political ramifications as I see them. I see it as politically dangerous to pass section 18. If it is passed, it would be a foot in the door for the homosexual community. Other changes are being made in Bill 7 that I am not very happy about either, which relate to section 18 and why I think it is politically wrong to pass this section.

For a moment, let us look at the marital status sections of the bill. Sections 3, 7, 9, 10, 13 and 15, deal with expanding the definition of "spouse." At present, "spouse" in this act means "a married partner of the opposite sex." These sections will now make it legal to describe a spouse as a person of the opposite sex with whom you live in a conjugal relationship outside of marriage. Here is where the trouble starts. If section 18 is passed today, it will be a very short time until you will have the homosexual community back wanting the words "opposite sex" removed from the section. How are we going to get around that one and say it is not discriminating? We are treading on dangerous ground, and I will get into that more as I move to my personal views on the issue.

The Human Rights Code is an important piece of legislation. It is important that everyone be treated fairly without prejudice and without discrimination, but we have to start from a base. We allow people to drive cars in this country; we do not discriminate against them unless they break the law laid down by the government and drive too fast or drive recklessly.

When it comes to moral issues, such as those we are dealing with in section 18, God laid down the laws years ago. It is laid out for us in the Bible, and it is quite clear that homosexuality is wrong. It is not one of those grey areas. It is brought to our attention at least six times in different books. Homosexuality interferes with God's plan for the family. Woman was made for

man and man for woman, and no other mix works, according to the plan for the world.

It is often said that one sin or one wrong is no greater than another, and we have a tendency to pit one against the other. Two wrongs do not make a right, and it is up to each of us to try to uphold God's laws the best we can and, in so doing, make this country and this world a better place in which to live.

Education is so important. As a government we spend a lot of time and money on education. The family unit is the one that gives our population the greatest education; it sets its goals and gives it its moral standards. Let us do our part to keep the family on track, to keep it strong. Let us not do anything that will make it more difficult for the next generation.

17:00

God gave us life and allows us to live, and he does not discriminate against us if we live within his laws, just as we do not discriminate against the motorist if he lives within the law. I have been taught in my upbringing that I am to obey God's laws first and man's second if there is a conflict. I see a conflict in this bill.

What has made our country strong? This country was built and based on our ancestors' strong faith and belief in God. If I were to vote for this amendment, I would be going against everything I believe in and have been taught. I would be watering down not only my faith and my beliefs but also those of my ancestors.

Therefore, it is a very easy decision for me to vote against the amendment to Bill 7. I urge all members to think about our ancestors, the Big Brothers, those in the position of hiring people to teach our children, parents and the family and the direction we receive from our Creator and vote against the amendment.

Mr. Bernier: I will begin my remarks by complimenting the member for Grey (Mr. McKessock) on his remarks. I share his feelings and I admire him for standing up as he has done today to express in a very clear, forthright way his opposition to this amendment. I know how difficult it is for him as a member of the Liberal Party, the party that brought in this amendment and is supporting this amendment, with the support of the New Democratic Party. I admire his stand. I wish there were more members of the Liberal Party in their seats today to hear what he had to say and the sincerity with which he presented his arguments and his case.

I am a little shocked as we sit in the Legislature today debating this section, which I will oppose as long as I have strength in me and blood runs in

my veins, because this is totally foreign to my way of life, to what I was taught and to my relationship to a whole family unit.

To have the clock in the Legislature stop at 10 minutes to four symbolizes that there is something wrong in the whole system. In my 20 years here, I have never seen the clock stop at Queen's Park, but it stopped today when we are debating this very contentious section of this bill.

I am disappointed that the Attorney General is not in his seat to hear the debate this afternoon, but I want to put section 18 on the record so those who will be reading this debate will have a clear definition of what we are talking about.

"18 (1) Section 1 of the Human Rights Code, 1981, being chapter 53, is amended by inserting after 'sex' in the fourth line 'sexual orientation.'

"(2) Subsection 2(1) of the said act is amended by inserting after 'sex' in the fourth line 'sexual orientation.'

"(3) Section 3 of the said act is amended by inserting after 'sex' in the third line 'sexual orientation.'

"(4) Subsection 4(1) of the said act is amended by inserting after 'sex' in the fourth line 'sexual orientation.'

"(5) Section 5 of the said act is amended by inserting after 'sex' in the fifth line 'sexual orientation.'"

For those reading Hansard, that is the amendment we are debating at length today, expressing our views. When the vote is taken, which will likely be tomorrow, I am sure we will have a chance to clear our conscience that we have done in our own way what we feel is right.

Let me repeat that Bill 7 was a government bill. The amendment was introduced in the committee stage, as we are now aware, by the New Democratic Party. It is fair to say that this bill has aroused concern from Ontarians right across this province, from Windsor to Ottawa and as far west and as far north as my own riding of Kenora.

As we are all aware, Bill 7 was originally designed to bring various laws, including the Human Rights Code, into conformity with the federal Charter of Rights. I had no problem with the original bill, and I think most of us in this Legislature would have supported that original bill. It would have gone through the committee stage without any problem at all because it was the right thing to do, the correct thing to do at this time.

I sense that there was and would have been strong support from all sides of the House; but at the last minute, the 11th hour, an amendment

was introduced in committee by the New Democratic Party, introduced without any public input and embraced by this Liberal government, which shocks me a little, to say the least. Here we have a government that introduced what I felt was a very important piece of legislation. They introduced it in good faith and then accepted an accord amendment that turns this bill into a whole new issue.

Listening to the eloquent remarks of our Attorney General this afternoon in defence of this amendment, I cannot fail to criticize him for bringing in a major piece of legislation; if he thought this amendment was important enough to be in the bill in the first place, why was it not there in the first place? That bothers me considerably, having him stand up today and so eloquently defend an amendment that was brought in at committee stage, so flippantly brought in, I might say, and having him go to great lengths to defend the amendment and to lecture to us on the moralities and so on, as he is so able at doing.

I also want to condemn the Attorney General for his reference to the Irish when he was talking about this amendment. That was a poor comparison, and it is awful that he would use it. I know he was looking for some simple comparison, but to use the Irish of our country and compare their way of life with the homosexual way of life and how they are discriminated against was very inappropriate.

An hon. member: Pretty shoddy.

Mr. Bernier: Pretty shoddy is right; very shoddy. I find it hard to take his arguments seriously. He introduced the original bill and he embraced with enthusiasm section 18. I want to express my own disapproval of that section. I certainly will vote against it, as we will see tomorrow evening.

I would like to do something similar to what the member for Grey has done, because we share a common feeling and a common belief, and read into the record some of the comments I have received over the past several months. To begin, I would like to read into the record a news column I prepared on October 26, 1986, and sent to all my newspapers on this issue. This will set the stage as far as I am concerned with respect to Bill 7:

"During the fall session of the Ontario Legislature, members will debate and vote on the Liberal bill titled Equality Rights Statute Law Amendment Act, 1986, commonly known as Bill 7. I have received numerous letters and phone calls and personal contacts from citizens

of the Kenora riding regarding the contents of this bill and will attempt to explain, as I know it, and point out reasons for my opposition to the amendment.

"The Ottawa Centre NDP member, Ms. Evelyn Gigantes, made an amendment to the original bill which would prohibit sexual discrimination on the basis of sexual orientation. She claims that the NDP members have held the same position for many years as convention delegates at their party assemblies and as elected members of the provincial parliament and that there is nothing new in their present position in that regard.

"Presently in Ontario homosexuals have the same rights as other citizens. They may and they do exercise their right to assemble, to speak, to write or to go to any church they wish. They may own property, enforce contracts and go about the day-to-day business as any citizen of this province without limitation or restriction. They can work where they choose. They cannot be fired for being homosexual.

17:10

"In this province, one may disagree with another's sexual preferences without denying them their rights. To include sexual orientation in the Human Rights Code of Ontario would, in my opinion, change the definition of a family as is accepted at present by the vast majority of this province and this country. It would provide a functional definition, which does not require heterosexuality as its foundation and would provide homosexuality as a legitimate and alternate lifestyle on the same basis as the traditional family.

"This amendment by Ms. Gigantes would mean that in addition to the rights we all hold, homosexuals would receive special rights recognized in law that would effectively enshrine their lifestyle and their behaviour. No other group is protected under the law based on behaviour. The Charter of Rights protects us all based on identity. Alcoholics and compulsive gamblers do not qualify for special rights, nor should homosexuals.

"The Charter of Rights states that everyone has the right not to be discriminated against on the basis of race, national or ethnic origin, sex, religion or age, etc. It refers to discrimination on the basis of sex, not sexual orientation. The first would be true discrimination; the latter is not discrimination at all. Sexual orientation refers to an optional lifestyle. Sex refers to inherent characteristics of being male or female.

"Refusing to pass laws that will give special rights to homosexuals is not discriminating. Do we want to see homosexual marriages legalized or homosexual couples adopting children? A generally held opinion by our party members and the public alike is that homosexuals should have no more rights or no fewer rights than any other person. To enshrine special rights in the law for them is improper and is unnecessary."

That was the text of my newspaper column which appeared in the newspapers of the Kenora riding. I received many letters, as did the member for Grey, literally hundreds, and phone calls by the dozens. Just last weekend, we recorded something like 32 phone calls at my home in Hudson, and the letters have numbered in the hundreds.

I went through them carefully to give members a sample of what the people are saying. I would like to put that on the record too. As the member for Grey pointed out, the Big Brothers organization has very strong feelings against this amendment.

I have a letter from the Big Brothers Association of Sault Ste. Marie. In the letter, dated November 14, 1986, the central paragraph reads:

"Our Big Brother program in Sault Ste. Marie has assisted fatherless boys since 1969. Our success in helping these children have big brothers in terms of friendship and guidance has been gratifying.

"It would appear that with the passage of Bill 7, our boys could very well be subjected to undue risk. The Big Brother policy standards do not permit homosexuals to be approved as Big Brothers. The matter is further exacerbated by the opinion of many mothers in our organization who, given the choice, would surely not approve of a big brother for their son who would possess tendencies of a homosexual nature."

That letter was signed by the executive director, Al Ethen, and the president, Lorie Bottos.

On November 19, I received a letter from the Toronto Free Presbyterian Church directed to myself. I wish to put that letter on record, because it is a well-written letter and speaks for a big constituency out there. It reads as follows:

"We wish to express our serious concern at the possible inclusion of the words 'sexual orientation' in the Human Rights Code through the proposed amendment to Bill 7. If passed, the amendment will have the effect of granting special privileges to one section of society not enjoyed by others.

"The provisions of the Canadian Charter of Rights and Freedoms guarantee freedom from discrimination based on morally neutral and unchangeable status. The words 'sexual orientation' would create special privileges with respect to behaviour and a behaviour that is not beneficial to the wellbeing of the province as a whole.

"A recent study has shown that in the majority of cases, homosexuality is an acquired behaviour. The basic human rights of homosexuals are guaranteed like the rest of society. In the unfortunate cases where people are born with a mental or physical abnormalities, they are also covered in the Canadian Charter of Rights and Freedoms under the words 'mental or physical disability.'

"To add the words 'sexual orientation' is at best a redundancy and at worst a dangerous precedent. Should we accept smokers and excessive drinkers to be added also to the Human Rights Code because, in the correct climate, their behaviour may adversely affect their chances of employment? Where should the line be drawn? Should criminal behaviour also be covered? The Ontario Legislature would be most unwise to go beyond the provisions of the Canadian Charter of Rights and Freedoms."

That letter was signed by Frank McClelland, pastor, on behalf of the session members and friends of the Toronto Free Presbyterian Church.

I am a practising Catholic. I picked up a church bulletin in my own riding on October 19, and in it was a message to all the parishioners in the Sioux Lookout-Hudson area. It reads as follows:

"The Bishops of Ontario have issued a statement recently about Bill 7, presently before the Ontario Legislature. Subsections 1(1) to 1(5) amend the Human Rights Code in Ontario prohibiting discrimination on the grounds of a personal sexual orientation."

It goes on to say:

"The bishops support the human rights of all members of society, obviously, but the church and Christian tradition distinguishes between orientation and behaviour. Homosexual behaviour or lifestyle is contrary to our morality. Bill 7 lends itself to unacceptable applications and will have the social impact of promoting the recognition of homosexual unions as marriage, which gives family benefits.

"Another point is that Bill 7 is a so-called omnibus bill, which means all sorts of things going together to speed up things and there is no consultation or discussion. The bishops have asked their parishioners to send handwritten

personal letters to the Premier of the province of Ontario expressing their point of view on this issue."

That church bulletin, dated October 19, 1986, was signed by Father Rademaker and sent to all the Sacred Heart parishioners in the Sioux Lookout-Hudson area.

We are all aware of the Coalition for Family Values, a Toronto-based group. The comments of my colleague the member for York Centre (Mr. Cousens) made it very clear where he stood with respect to this bill, and he was very eloquent in protecting and preserving the family values as we all know them, at least as I hope we all know them, in this Legislature. They are values we all cherish and want to preserve.

On November 21, 1986, that group directed to all of us in the Legislature a very large brief with much information on this issue. They said, "We are concerned that this legislation is not in the best interests of the majority of Ontarians." They enclosed a copy of a summary of the most recent poll conducted by the Environics Research Group on this subject. Obviously, the vast majority of those surveyed do not believe homosexuality is an acceptable form of behaviour.

Going back to my own riding, personal letters flocked in on this issue, 100 per cent violently opposed. This letter is from Sioux Lookout; I will read only the first paragraph of it:

"On behalf of the members of the Sacred Heart parish council of the Catholic Women's League, we wish to express our opposition to Bill 7, section 18, subsections 1 to 5."

That was signed by Margaret Maskerine of Sioux Lookout.

The member for Grey made note of the bishop for Ontario, the bishop I know so well, the Most Reverend John O'Mara, Bishop of Thunder Bay, who wrote to me on October 17, 1986, and pointed out:

"At the recent meeting of the Ontario bishops, we issued a statement in which we protested the inclusion of the exemption of sexual orientation in Bill 7. This is a serious moral issue that strikes at the heart of our understanding of family life, for while we work to promote the human rights of everyone, we cannot accept that homosexual unions be given the protection of law by the province. Furthermore, this matter has never been given public debate."

He enclosed a copy of the statement, which the member for Grey read into the record, and I will not repeat it, but it is a very strong condemnation

of this section, urging us not to support the amendment.

17:20

This is a letter from Dryden, dated October 30, 1986:

"I would like to voice my objection to Bill 7 regarding homosexuals gaining family status. To subject a child or children to this abnormal upbringing is in my opinion very unwholesome and not in a child's best interest. It is not a healthy environment to place a child in, who will be raised to think that this is a normal way of life. I hope that this will never be allowed in Canada, not just Ontario."

It is signed by Mrs. M. Davies.

Another letter is from a remote little town way up in the boondocks, as people from southern Ontario would say, of the great northwestern part of the province, where they are aroused by this legislation. This lady wrote to me from Eagle River:

"I applaud your letter in the legislative report from Queen's Park in the Dryden Observer this week regarding Bill 7. I am definitely against homosexual marriages, legalized, or adoption by homosexuals. I wrote a letter, as you suggested, to the Attorney General and the Premier. Thank you for bringing this issue to our attention so we can speak out. You have our support on this particular issue."

That was signed by Mrs. Sandra Peck, general delivery, Eagle River.

There is another letter from one of the remote mining communities of northwestern Ontario, one of the areas that is still producing gold and that has produced gold for the balance of payments of this province since the 1930s, another northern community that has been aroused by this bill. It says:

"I am opposed to section 18 of Bill 7 now before the provincial Legislature which refers to 'sexual orientation,' because in its present wording it may also embrace homosexual behaviour, which is contrary to Christian morality. Any law that invites such a lifestyle will cause great harm to society. I recommend that prior to the passage of the proposed Bill 7, widespread consultation and discussion take place with the people of the province of Ontario."

That was signed by Ms. Elizabeth Anne Tubb, Box 429, Red Lake.

We are all aware, as the member for Grey pointed out, of the position of the Catholic Women's League. I am pleased to say my wife, Marjorie, has been an active member of that organization for some 30 years. She is the

secretary-treasurer of one organization in our own home town. The letter I have here from this organization came from St. Joseph's parish in Dryden:

"Regarding Bill 7, we as national citizens of Judaeo-Christian background look at this proposed legislation with abhorrence. It violates the very fundamental law of life, and instead of sexual orientation it is disorientation, leading to every social evil. We as members of the Dryden Catholic Women's League, 160 strong, wish to voice our objection to its enactment."

That was signed by Mary Wilkins and the acting director, Father McKee.

I have a short note from Kenora, in the great northwest. It says:

"I hereby express my strong opposition to section 18 and numbers 1 to 5 of Bill 7. The ambiguity of the phrase 'sexual orientation' needs to be clarified."

That was signed by Philip Lamarche, RR 1, Kenora.

Another note came to me from Dryden. It is dated November 2, 1986; so it is a relatively recent letter. It caught the imagination and the interest of my constituents. They write—there are a number of names on this—"We are not in favour of amending legislation to give homosexual unions the status of families in our society." That short note was signed by Betty Witzell, Jean Thompson, Vivian Cole, Molly Paradis, Elsie Maltais, George Bruce, Irene Patterson and J. Johnson, all of the Dryden area. They are violently opposed to this amendment.

The last note I would like to put on the record comes from Sioux Narrows, a small tourist town on Highway 71, about 40 miles from Kenora. There are about 200 people there during the winter and there might be 5,000 there in the summer, because it is a really fine recreational area, but with strong family feelings and, of course, strong family ties.

This lady says:

"I understand there is a bill being considered known as Bill 7, which would, among other things, give homosexuals the same rights as families. I am confident you do not approve of that part of the bill. To have two men or two women considered a family is completely contradictory to nature and to God's law. After all, the Bible says a man shall leave his mother and father and cling to his wife, not another man. The law cannot regulate whether a person is a homosexual or not, but it can and should regulate their behaviour when it affects the rest of society."

That is a well-written letter by Mrs. Mary Anne Hoffman, Box 270, Sioux Narrows.

This is a feeling from people far apart in Ontario, way up in northwestern Ontario, an area close to the Manitoba border; 100 per cent are against this amendment to Bill 7.

In closing, I want to express again my strong disapproval of this section. I intend to vote against it. Section 18 should be struck from the bill.

Mr. Haggerty: I rise to speak on Bill 7, the Equality Rights Statute Law Amendment Act, particularly section 18. I listened very attentively this afternoon to the Attorney General as he gave his reasons for the amendment coming before the Ontario Legislature. He was rather convincing and eloquent in his delivery, but I have some reservations about this amendment and I have some difficulty in accepting it. Although I see that there is a reason for the amendment to be put forward, I cannot accept it.

I refer members to the Human Rights Code, chapter 53, 1981, and the definition of "harassment because of sex in accommodation." I want to read this into the record:

"Every person who occupies accommodation has a right to freedom from harassment because of sex by the landlord or agent of the landlord or by an occupant of the same building."

I interpret that to mean the landlord is the one who is creating the sex problem; he is having sex with a tenant, you might say. Let me just read that again:

"Every person who occupies accommodation has a right to freedom from harassment," and this is in accommodation, "because of sex by the landlord...." To me that is a poor—

Ms. Gigantes: On a point of order, Mr. Chairman: I think the member misunderstands the amendments. They do not relate to sexual harassment, and he is speaking to a clause that is not affected by the amendment before us.

Mr. Chairman: I do not believe that is appropriate.

Mr. Haggerty: That is right. I do not believe the member for Ottawa Centre is getting the message of what I am saying. The Human Rights Code now speaks of harassment because of sex in accommodation. That is the interpretation given by the legal minds. If we look at that member's amendment, it changes that to "sexual orientation."

Interjection.

Mr. Haggerty: She says no.

Ms. Gigantes: I believe the member is out of order. He is suggesting the amendment relates to a section that is not under discussion.

Mr. Chairman: It is my understanding that he was referring to the Human Rights Code amendment.

Mr. Haggerty: That is right, and that is what we are dealing with in this section, an amendment to the Human Rights Code. I understand it perfectly well. If the member will just show her patience for a while, I will get through to her.

What I am looking at in this section is that perhaps it should have read that every person who occupies accommodation has a right to freedom from harassment from the landlord or agent, or an occupant of the same building.

17:30

Ms. Gigantes: On a point of order, Mr. Chairman: If you will look at the amendments before us, which relate to subsection 2(1), section 3, subsection 4(1), section 5 and section 1, you will see that the member is addressing a section of the Human Rights Code which is not before us. He is addressing subsection 6(1) of the code. If you look at the amendments before us, subsection 6(1) of the code is not under consideration by this Legislature at this time. Subsection 6(1) will not be affected by the amendments before us.

Mr. J. M. Johnson: On the same point of order, Mr. Chairman: The Attorney General, who is carrying this bill, went on a free-wheeling expedition through the whole realm of human rights. The member should have the same right to do so. The member for Grey did the same thing, and I intend to do so. I do not believe the member for Ottawa Centre is carrying the bill.

Interjections.

Mr. Chairman: Order. The member has a point of order.

Mr. Warner: Get the rule book.

Ms. Gigantes: My concern can be very simply put. I believe the member mistakenly believes we are looking at an amendment to subsection 6(1) of the Human Rights Code. Mr. Chairman, if you look at the sections which we are considering amendments to, they are section 1, subsection 2(1), section 3, subsection 4(1) and section 5 of the Human Rights Code. We are not dealing with an amendment to subsection 6(1), and I hope you will call the member to order.

Mr. Chairman: I do not believe it is a proper point of order. The member is developing his argument. He may be drawing parallels or

analogies. He has not been the only one. I believe he should carry on developing his argument. He is quite in order.

Mr. Haggerty: I listened to the member for Ottawa Centre and she covered the ball field; she covered the work place, the occupancy of rental units, everything. From that, I took it that this bill perhaps would go even further than that.

Mr. Breaugh: On a point of order, Mr. Chairman: I do not want to intervene on the member's comments, but I believe he should be aware that there are five amendments to section 18 now before the House in committee. We would all be very pleased to hear his comments on those amendments that are before us. At another time, we would be very pleased to hear his comments on the old Human Rights Code or anything else he has, but it would be helpful if we could get him to address those.

Mr. Chairman: It is my opinion that the member is in order in the context of the debate and the comments that have been made this afternoon in the chamber.

Mr. Haggerty: I will ignore the member for Ottawa Centre and continue.

If we take a look at the equality of rights under the Charter of Rights—and I would like to read that into the record so we get a clear understanding of that—it says in subsection 15(1) that there is equality before and under the law and equal protection and benefit of the law. It says:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

One can agree with that. The word "sex" in there means gender; it does not define a sexual act.

The Attorney General also brought in articles regarding discussions in the United States, and I was concerned about that. I was also concerned about his comments on the Irish. Of course, the Irish can take a joke now and then, and we can be just as tough as anybody.

In the election of 1971, when the Liberal Party took a position in support of complete funding to separate schools, a writ had been issued and we were going to the polls, I had calls from local and Toronto reporters. They called me up and said, "What is your religion?" I said, "What has that got to do with it?" They said, "Is your family from the north or from the south of Ireland?" I said, "What has that got to do with support for the

separate schools?" They said, "We noticed in the Parliamentary Guide, it does not mention any church you are affiliated with." I said: "No, but what does it say? It says, 'of Christian faith.'"

I look at this amendment to the bill. In Canada, particularly in Ontario, perhaps one of the first settled provinces in Canada, there are certain moral and spiritual principles upon which this great nation was founded and which are deeply rooted in this nation's history and tradition.

I will quote something from a decision by the Supreme Court of the United States. Some will ask why I want to bring in the Supreme Court of the US. If we go back to the early days of the history of the United States, and particularly of Upper Canada, much of our legislation was derived from the British. The Bill of Rights, the Magna Carta, you name it; it is all there. The two countries are not that much different, but this was a case before the Supreme Court of the US.

It is Bowers, Attorney General for the state of Georgia, versus Hardwick. It is a case where a homosexual couple carried on an act within their private residence, with consent between the two parties. It was argued on March 31, 1986, and the decision of the Supreme Court was on June 30, 1986. This is the decision of the Supreme Court, although there was a split opinion on it.

"After being charged with violating the Georgia statute criminalizing sodomy by committing that act with another adult male in the bedroom of his home, respondent Hardwick brought suit in the federal District Court, challenging the constitutionality of the statute in so far as it criminalized consensual sodomy. The court granted the defendant's motion to dismiss for failure to state a claim. The Court of Appeal reversed and remanded, holding that Georgia statute violated the respondent's fundamental rights, and the decision was held that the Georgia statute is constitutional."

It goes on to say:

"The Constitution does not confer a fundamental right upon homosexuals to engage in sodomy. None of the fundamental rights announced in this court's prior cases involving family relationship, marriage or procreation bears any resemblance to the right asserted in this case. Any claim that those cases stand for the proposition that any kind of private sexual conduct between consenting adults is constitutionally insulated from state proscription is unsupportable."

I put on the record the words of one of the noted chief justices of the United States, Justice

Burger, who is well respected in law in the US. He said:

"I join in the court's opinion, but I write separately to underscore my view that in constitutional terms there is no such thing as a fundamental right to commit homosexual sodomy. As the court notes, proscriptions against sodomy have very ancient roots. Decisions of individuals relating to homosexual conduct have been subject to state intervention throughout the history of western civilization.

"Condemnation of those practices is firmly rooted in Judaeo-Christian moral or ethical standards. Homosexual sodomy was a capital crime under Roman law. During the English Reformation, when powers of the church courts were transferred to the King's courts, the first English statute criminalizing sodomy was passed. In Henry III, Blackstone described the infamous crime against nature as an offence of deeper malignancy. 'Take rape, then rape or a heinous act, the very mention of which is a disgrace to human nature and a crime not fit to be named.' Blackstone's Commentaries, the common law of England, including his prohibition of sodomy, became the received law of Georgia and other colonies." I believe about 25 states, 50 per cent of the states, still have that law on their books.

17:40

"The Georgia State Legislature passed the statute issued here, and the statute has been continuously in force in one form or another since that time. To hold that the act of homosexual sodomy is somewhat protected as a fundamental right would be cast aside a millenia of moral teachings."

That was taken from a decision of the Supreme Court that upheld the laws in Georgia. As close as the ties are that the Americans and their history have to the British government, the British Empire or Britain itself, our ties here are that great too.

Every day we open the Legislature with the Lord's Prayer. As legislators, as lawmakers, we should uphold those good things that are in the text of the Scriptures.

Ms. Gigantes: Or Fred Young's prayer.

Mr. Haggerty: Yes. Elmer Sopha had something to do with that. It is too bad Elmer is not here now. He would be up here. I can imagine the long speech he would make. He would convince the member opposite that she is wrong.

I think of the Scriptures. I can bring in different things I have received from the Coalition for Family Values and other persons. I have

had a great number of letters to which I had to respond. Thank goodness we now have computers so we can run them off quickly. We just put the address on and they are out. We do not have to spend that much time on them. My staff has been working over the past six months on this issue. It is an issue that the majority of people in Ontario do not support, nor do they support the amendment.

The more I look at the Scriptures, and without getting into it in detail, one can go back to the book of laws and read it. Whether or not one believes in the Christian beliefs, the thesis—whoever the writers were—is right on with the times. One can take all the statutes in this Legislature, in the Dominion of Canada and in the provinces and they would fill this. There are six pages that lay down the book of laws. Every piece of legislation that has come forward has come through the book of laws. Of course, we open the door year after year and make them a little different.

We talk about human rights. The human rights are there, but human rights must also be for the common good. We can talk about the problems we have now with a serious disease, a crisis right now, and that is AIDS. We should not be passing legislation to say: "Yes, you can live here. You have nothing to worry about. You are within the law." It does not resolve the problem that is out there. We have a serious problem out there for which there is no cure. It is going to be a risk for everybody in society. All one has to do is look at the US.

One can read the reports written just recently by the experts in this area warning us that it is a crisis and that something has to be done. What has to be done is that this proposed amendment put forward by the member for Ottawa Centre, on section 18, should be dropped from this bill.

The member sits there and smiles. She should go back to what I said originally. She should go back to the section of the Human Rights Code that includes harassment because of sex in accommodation. That refers to landlords or other persons living in a building. I would change that around, because I do not want to support it the way it is written. What it says is that the landlord is responsible, that he is the one promoting the sex issue; but he is not. We should change it around to say harassment by a landlord or agent or occupants of the same building because of the tenant's sexual behaviour. That is the way it should be.

The Charter of Rights does not give a definition of a sexual conduct, and there are

reasons for that. The former Prime Minister of Canada said governments should not be in the bedrooms of the nation, and he was right when he said that. He was right when he put in the charter that you have no right to meddle in the private affairs of a home.

If this goes through, I can see that shortly you are going to have people come in and say, "You have given the homosexuals a special right such that they can do anything they want." People are going to say: "I am on drugs; I smoke marijuana. Under the Charter of Rights, is it not my right if I want to do it in a private home? I do not have to be bothered by the landlord or the tenant." We are just opening the door, because that is the next thing that is going to happen.

There is another option here. As much as you look at that amendment, there are other areas we should be looking at. We are saying the landlord has no rights either. Does he not have any right to be able to say who can come into that building, who are undesirables? We have to draw the line here someplace.

The other option that is available is that if this is the lifestyle these people want to continue with, then they have the chance to build a home if they want it, and nobody will bother them. But I am opposed to this section. I will not support defining a sex act, and that is one of the reasons I do not support it.

If I can get into the other area of why many Christians are opposed to it, there are good reasons for that. I cannot support the principle as it is in this amendment. The member for Kenora (Mr. Bernier) said it was a government amendment; I think he said that. It is not a government amendment. It is a government bill. The amendment was proposed and accepted in committee, and that is why we are debating it this afternoon. I hope we can take a second look at this thing and perhaps refer it back to another committee of the Legislature that would come forward with a way to provide that protection.

I suggest that under the Human Rights Code we should put in tenants' behaviour. That should cover it: sex behaviour.

Mr. J. M. Johnson: I wish to speak against this amendment. I am somewhat perplexed by the opposition of the government members. Apparently, the Premier (Mr. Peterson) did not get the right reading and brought forward a bill that his caucus is not supporting, or else he is running against the will of his caucus. It is unfortunate, but that is what happens with an inexperienced government.

I rise to speak against the bill with a great deal of concern, as this is a most complicated and sensitive issue, one that has two completely different points of view. Each side feels its view is the right one, and too often we are not tolerant of the other party's position.

I have always felt that a member of the Legislature has a dual responsibility. The first is to express his own personal opinion, based on the facts he is knowledgeable about and according to his conscience; the second is to express the views of his constituents.

On this amendment, I can honestly say I have nearly total support from the constituents in my riding. I have been contacted by telephone, by letter and in person. I cannot recall a single person telling me to support the amendment, and many dozens of constituents have expressed their concern about the proposed amendment.

I received calls from numerous ministers and priests: Reverend Gary Stopps, First Baptist Church, Mount Forest; Father Laherty from St. Mary's Catholic Church, Mount Forest; Father Bruce Hartleib from Arthur; Pastor Richard Smith of the Harriston church in riding of the member for Grey.

17:50

To my knowledge, there has not been a single person in my riding who has expressed support for the amendment. There have been dozens and dozens who have expressed concern.

I received two letters today, and I would like to quote from a small number of the letters as we are running out of time. They pertain to the amendment to Bill 7. One lady writes:

"I am no longer in your riding, as I was at the time of the last election, but want now to write in appreciation of your efforts and to wish you continued success pertaining to your opposition to Bill 7."

There is another letter expressing concerns about Bill 7:

"Please make my voice and that of my family heard in this regard so I can further thank God for the excellent government system and the work you personally do for our riding. I think it is very important to my life and wellbeing. Do not throw away your tradition of morality for the new morality. Stand up and be counted."

As for my personal position on this issue, I would like to make reference to an earlier debate in this Legislature. I refer to Hansard for Monday evening, November 30, 1981. I had the opportunity to serve on the standing committee on resources development that sat some 26 days in hearings and had more than 150 public submis-

sions. We then debated clause-by-clause for nine sessions, a total of 22.5 hours, dealing with Bill 7, An Act to review and extend Protection of Human Rights in Ontario. We had a vote on the Monday evening. I would like to read an excerpt into the record:

"I do not take any pleasure in standing up tonight and speaking against any group, if that is what it is construed to be. I do not think I am speaking against a group—I hope I am not—although it will definitely be twisted to come out that way. I am speaking on behalf of a group of people that I represent who have different convictions and different beliefs and I feel quite strongly about them. For that reason I cannot support the amendment."

I would also to quote from Hansard of the same date the member for Huron-Middlesex (Mr. Riddell), now the Minister of Agriculture and Food, who stated:

"I know this party is going to have a free vote on this matter. I would think the NDP might do the same, although I am not sure, and I would hope that the Conservatives would allow a free vote on it."

Our party is going to have a free vote. I hope the party of the member for Grey will have a free vote, and I hope the party on the left will have a free vote. This is an issue that should be decided by the votes of individual members and not along party lines.

The member for Huron-Middlesex went on to say: "People cannot understand why the Conservative government is bringing in this kind of legislation." I throw it back and suggest that I cannot understand why his party is bringing it in.

I would like to highlight some of the concerns in regard to Bill 7 expressed by the Ontario Conference of Catholic bishops. This section was read into the record by the member for Grey, so I will not go into it in detail, except to say I support the concerns it expresses in its presentation. I would like to reiterate one section of it.

"We believe that Bill 7 in its present form will have the social impact of promoting the recognition of homosexual unions as marriages and also seriously restrict the freedom of churches, government, societies, businesses and schools to set criteria of conduct for their employees. Bill 7, if passed as it is, will erode the status of normal families by equating their legal status with that of homosexual unions, and so we deplore the attempt to pass Bill 7 without the widespread

consultation and discussion which will permit the citizens of Ontario to express their will concerning it."

I make reference to Bill 30. It would have served this Legislature and our province well if we had taken the opportunity to discuss with our constituents and the people of the province the implications and results of the passage of that bill. It is passed now, but we should not follow the mistake of getting into another situation of a similar nature.

The bishops request the government to postpone any action on Bill 7 until such consultation has taken place. That makes sense.

I would also like to read into the record a quote from the Coalition for Family Values. They ask several questions to which, apparently, they cannot get answers.

"1. Would schools, day care centres or group homes be forced to employ those whose code of conduct and sexual orientation is incompatible with the established purposes and guidelines of the institution?"

"2. Would the legislation affect the traditional rights of religious groups to hire staff members whose lifestyle is faithful to the beliefs and practices of their religious community?"

"3. Would such an amendment remove the unique status of marriage and the family as the fundamental unit of our society?"

"4. Would the family be redefined? Would homosexual and lesbian marriages be legalized, together with the adoption of children?"

That is one of the most important points I am concerned about. If it does not happen today, what about in the near future, five or 10 years from now?

Mr. Chairman, how much time do I have left?

Mr. Chairman: Fifty-three seconds.

Mr. J. M. Johnson: I am not sure I can finish in 53 seconds. With your permission, I would like to adjourn the debate at this time.

Hon. Mr. Scott: The House leaders asked me to inform the House that the business tomorrow will be consideration of Bill 7 in committee of the whole House, which is a change from what was announced last week.

On motion by Hon. Mr. Scott, the committee of the whole House reported progress.

Motion agreed to.

The House adjourned at 6 p.m.

CONTENTS

Tuesday, November 25, 1986

Members' statements

Highway construction, Mr. Gordon	3601
Workers' Compensation Board, Mr. McClellan	3601
Waferboard plant, Mr. Ramsay	3601
Gasoline prices, Mr. Bernier	3602
Nursing homes, Mr. Wildman	3602
Rescue of Soviet soldiers, Mr. South	3602
Cystic fibrosis, Mr. McCague	3603
Government's performance, Mr. Philip	3603

Statements by the ministry and responses

The Development Corporations, Hon. Mr. O'Neil, Mr. Brandt, Mr. Barlow, Mr. Philip, Mr. Morin-Strom	3604
Management Board of Cabinet directives, Hon. Mr. Nixon, Mr. Philip	3606
French-language tourism marketing, Hon. Mr. Eakins, Mr. Rowe, Mr. Hayes	3606
Royal Ontario Museum, Hon. Ms. Munro, Mrs. Marland, Mr. Harris	3607

Oral questions

Plant shutdowns, Mr. Grossman, Hon. Mr. Nixon	3608
Nursing homes, Mr. Grossman, Hon. Mr. Van Horne	3609
Annual report, Office of the Provincial Auditor, Mr. Rae, Hon. Mr. Peterson, Mr. Martel, Mr. R. F. Johnston	3610
Pay equity legislation, Mr. Rae, Hon. Mr. Scott, Ms. Gigantes	3611
Layoffs in northern Ontario, Mr. Pope, Hon. Mr. Kerrio	3613
Drug pricing, Mr. D. S. Cooke, Hon. Mr. Kwinter	3613
Waste disposal, Mr. Offer, Hon. Mr. Bradley	3614
Drug pricing, Mr. Andrewes, Hon. Mr. Kwinter	3614
Plant shutdowns, Mr. Mackenzie, Hon. Mr. Peterson	3615
Alcohol on OPP boat, Mr. Sterling, Hon. Mr. Keyes	3615
Propane explosion, Mr. Rae, Hon. Mr. Kwinter	3615
Drug dispensing, Mr. Jackson, Hon. Mr. Elston	3616
Waste disposal, Mrs. Grier, Hon. Mr. Bradley	3617
Arts funding, Mrs. Marland, Hon. Ms. Munro	3618

Report by committee

Standing committee on resources development, Mr. Laughren, agreed to	3618
---	------

First reading

Pension Benefits Amendment Act, Bill 157, Mr. Gordon, agreed to	3618
--	------

Committee of the whole House

Equality Rights Statute Law Amendment Act, Bill 7, Hon. Mr. Scott, Mr. Cousens, Ms. Gigantes, Mr. McKessock, Mr. Bernier, Mr. Haggerty, Mr. J. M. Johnson, progress reported	3618
---	------

Other business

Annual report, Office of the Provincial Auditor, Mr. Speaker.....	3601
Use of government offices, Mr. Sheppard.....	3601
Release of report, Mr. R. F. Johnston, Mr. Speaker, Mr. McClellan, Mr. Andrewes, Hon. Mr. Peterson.....	3603
Adjournment.....	3643

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Bernier, L. (Kenora PC)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cousens, W. D. (York Centre PC)
 Davis, W. C. (Scarborough Centre PC)
 Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grier, R. A. (Lakeshore NDP)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Hayes, P. (Essex North NDP)
 Jackson, C. (Burlington South PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
 Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Marland, M. (Mississauga South PC)
 Martel, E. W. (Sudbury East NDP)
 McCague, G. R. (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McKessock, R. (Grey L)
 Morin-Strom, K. (Sault Ste. Marie NDP)
 Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
 Offer, S. (Mississauga North L)
 O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
 Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pope, A. W. (Cochrane South PC)

Pouliot, G. (Lake Nipigon NDP)
Rae, R. K. (York South NDP)
Ramsay, D. (Timiskaming L)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
South, L. (Frontenac-Addington L)
Sterling, N. W. (Carleton-Grenville PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Van Horne, Hon. R. G., Minister without Portfolio (London North L)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)



No. 70

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, November 26, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: C. L. DesRosiers



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, November 26, 1986

The House met at 1:30 p.m.

Prayers.

MEMBERS' STATEMENTS

LAYOFFS IN SUDBURY

Mr. Gordon: The message northerners are getting from the Premier (Mr. Peterson) is that we do not count in his eyes. We in this House hear the Premier say the executives of Goodyear should come before the select committee on finance and economic affairs when there are layoffs and plant closures; yet when 500 men are going to be laid off in the next couple of years at Falconbridge in Sudbury, with the attendant heartbreak and sorrow that comes over those families and with the lack of retraining for those workers, then the Premier does nothing.

It is quite evident to me and my party that the current government has a double standard. It has one standard for vote-rich Toronto and another for the north.

A regional councillor in the region of Sudbury will put forward tonight a motion asking the Premier to reconsider his very bad decision not to call an inquiry into the Falconbridge layoffs. The Premier is at present the Minister of Northern Development and Mines. If he will not call an inquiry, why does he not resign?

RECOGNITION OF PSYCHOANALYST

Mr. Henderson: I am pleased to tell this assembly that my psychoanalytic colleague, Dr. Julio Szmuiłowicz, was elected chairman of the Ontario Medical Association's 5,000-member District 11, Toronto, on November 20. Dr. Szmuiłowicz, a chief organizer of the Association of Concerned Physicians, maintained a vigorous presence in our public gallery last summer. He is passionately committed to patient and doctor freedom and to personal liberty. Dr. Szmuiłowicz and I are psychoanalytic colleagues and classmates.

In the early decades of psychoanalysis, Freud and his Vienna colleagues were denounced by psychiatrists, physicians, academics and governments as quacks and sophists. Today they have become an international movement with branch societies worldwide. Psychoanalysts occupy the

office of dean of medicine at the University of Toronto and chair the OMA's District 11. They have chaired departments of psychiatry in four of the five Ontario medical schools and served in legislatures, in at least one cabinet and in Canadian public office.

Psychoanalysts themselves undergo analysis and often embrace a radical humanism and individualism in their political outlook. Detesting group-think, they sometimes seem attractive targets, but they are hard people to push around.

Dr. Szmuiłowicz's chairmanship bodes well for patient and doctor freedom in Ontario.

ONTARIO FEDERATION OF AGRICULTURE

Mr. Stevenson: I am pleased to congratulate Brigid Pyke, who was elected yesterday as the new president of the Ontario Federation of Agriculture. Her obvious ability, her sharp agricultural mind and her breadth of knowledge on agricultural issues and problems gives her an ideal background to represent the 24,000 members of the OFA. Her wide range of experience includes having been a columnist with the Kingston-Whig Standard and leadership positions in numerous agricultural groups. Mrs. Pyke has firsthand experience of the problems facing farmers because she and her family operate a farm on Wolf Island.

Women have taken active roles in agriculture for generations, but leadership positions, other than in women's agricultural groups, have been dominated by men. Brigid Pyke joins Renie Long, president of the Ontario Fruit and Vegetable Growers' Association, as the second woman to take a leadership position in a major farm organization. Never before has the need for strong leadership in agricultural lobbying groups been more critical than it is at present. Farmers are making production decisions well ahead of new government policies by our government.

The Progressive Conservative Party looks forward to continuing to work with the OFA, Brigid Pyke and the new executive for the betterment of agriculture.

STORE SECURITY SYSTEM

Mr. Breagh: A constituent of mine brought a rather unusual problem to my attention this

morning. She and her son went shopping at a store called Titan, which is a new store in Pickering. Before they were allowed admittance to the store, they were asked for bank accounts and social insurance numbers, and photographs were taken of them.

My constituent raised with me the spectre that apparently there is a membership fee of about \$25 charged for joining what I take it is some kind of a buyers' club to shop at this store. She was not informed of that until she arrived at the door and she was taken aback by the fact that before she and her son could go in and look at the merchandise in the store, all this other process took place.

I can understand, for example, had there been a requirement here to use one of the store's credit cards she might have been asked for the normal credit information, but it seems to me this constituent made it clear that she and her son simply wanted to see what the store was like. In order to gain admittance to the store itself, they virtually had to go through a complete security check, reveal their bank accounts and have identity photographs taken.

The Minister of Consumer and Commercial Relations (Mr. Kwinter) may not be aware of this, but I would like him to take a look at it. This is certainly a practice I find to be a very disturbing trend in merchandising.

SIMCOE DAY

Mr. McLean: A memorable day for Simcoe county began with the November 24 visit of some students of Park Street school in Orillia to the parliament buildings here. I had the honour to introduce the first Simcoe Day Act to the House in their presence.

In a number of municipalities throughout Ontario, the public holiday that is celebrated on August 1 each year is known unofficially as Simcoe Day, but it seems that is not so in the municipalities in Simcoe county, and that should be rectified. What better opportunity could there have been than when the future leaders of our community were present last Monday? Therefore, I brought in a private member's bill known as the Simcoe Day Act, its purpose being to change the name of the holiday that is usually held on the first Monday in August from whatever it may be termed at present to Simcoe Day.

By making this change, we acknowledge the many contributions made by John Graves Simcoe, the man who was appointed on September 12, 1791, as the first Lieutenant Governor of

Upper Canada, now called Ontario. As every schoolchild learns, John Graves Simcoe convened the first Legislative Assembly in our province and established Toronto, then known as York, as the capital of Ontario.

The actual wording of the Simcoe Day Act states, "Where the first Monday in August in any year is proclaimed a public holiday in a municipality, the name of that holiday shall be named Simcoe Day."

UNEMPLOYMENT IN NORTHERN ONTARIO

Mr. Laughren: Late yesterday afternoon when I returned to my office, there was a phone message indicating that I should call my constituency office. When I did so, I was informed there was yet another layoff in northeastern Ontario—in this case, 254 hourly-rated employees at the Eddy Forest Products mill in Nairn Centre, which is in my constituency.

The reason I raise it at this time is that I hope to impress upon the government, particularly the Treasury benches, that the amount, degree or the kind of government intervention occurring in northern Ontario is woefully inadequate. Transferring civil servants to northern Ontario and holding conferences in northeastern Ontario are simply not enough.

The government has to come to grips with the fact that the unemployment problems in the north are structural in nature and will be resolved only when those structural problems are addressed. Whether this government sees itself as a free enterprise government or otherwise, there is going to have to be intervention in the economic affairs of northern Ontario before this very acute problem of growing unemployment in northern Ontario is resolved.

ONTARIO FEDERATION OF AGRICULTURE

Mr. D. R. Cooke: I would like to join the member for Durham York (Mr. Stevenson) in extending congratulations from this side of the House to Brigid Pyke on her election as president of the Ontario Federation of Agriculture. I know the member for Kingston and the Islands (Mr. Keyes) would join us as well, if the rules permitted.

Ms. Pyke appeared before the select committee on finance and economic affairs, and I have also heard her speak to the Waterloo Federation of Agriculture. She is a tough gal. She is going to make an excellent contribution to the debate on behalf of agriculture.

Mr. Stevenson: Mr. Speaker—

Mr. Speaker: I believe the member had his 90 seconds. Each member has up to 90 seconds.

Mr. Stevenson: There were still a few seconds left on the clock and I rose to bring forward another issue in my riding.

Mr. Speaker: As I understand the standing order, each member has up to 90 seconds, unless I am misinterpreting the rules.

Mr. Stevenson: As I understand the rules, each member can take up to 90 seconds on any statement. If I wished to take all the statements of our party and give two or three 90-second statements, that would be available to me.

Mr. Speaker: I may have made an error of judgement. I am not certain, because this has not arisen on a previous occasion. I hope the member will be happy to make a more lengthy statement tomorrow on the same subject.

RESCUE OF SOVIET SOLDIERS

Mr. Speaker: Before I call the next order of business, I would like to inform the members that we have five guests in the Speaker's gallery. I would like to introduce these five guests to the members of the House. They are Nikolay Golovin, Sergei Busov, Vladim Plotnikov, Igor Kovalchuk and Vladislav Naumov. Please join me in welcoming these guests.

It is my understanding that representatives of all parties would like to make a few comments of welcome.

Mr. Shymko: I request unanimous consent of the House to say a few words, along with other colleagues from all parties.

Agreed to.

Mr. Shymko: In welcoming these five heroic individuals, we can describe them as conscientious objectors in refusing to be partners in crime and associated with a regime that the former leader of the New Democratic Party of Ontario and the present Canadian ambassador to the United Nations described as a regime whose principle is to believe in butchering instead of negotiations. They have refused to be part and parcel of a butchering machine of more than 115,000 foreign soldiers occupying Afghanistan, which has resulted in more than 1.5 million victims, men, women and children, who have indeed been butchered by those occupying forces.

In greeting them, I want to remind the honourable members, as we are approaching the festive season of Christmas, that it was at this time when man spoke of peace on earth to all men

of goodwill, at this season of brotherhood when messages of love and peace tried to unite all humanity, that at Christmas 1979 Afghanistan was invaded.

None of us want to make any political, demagogic statements today, but I want to say that these individuals represent the best in humanity. When war criminals were tried in Nuremberg, we did not accept the excuse that one had to follow orders or that what one committed because one blindly followed orders was exempt. These men refused to follow orders and risked their lives. I want to remind the members that each of them has been sentenced to death in absentia as a deserter. They would all have faced the firing squad had they been caught. They have risked a great deal to be privileged to live in this land of freedom so many of us take for granted.

I want to conclude by saying that their appeal to me as I welcomed them today during lunch in the dining room was that, although they are here enjoying life, freedom and liberty, more than 3.5 million Afghani refugees are today bitterly awaiting some assistance in various refugee camps. There are more than 100,000 wounded, among them many children, who would like to have the assistance of countries such as Canada to take them to hospitals and to alleviate their suffering. Perhaps today is a reminder to all of us that we should provide the assistance to those freedom fighters in Afghanistan who need help in terms of medication and assistance for the wounded and the ailing.

I welcome them, and I want to say it is thanks to the efforts of Serge Jusyp of the Holy Trinity Russian Orthodox Church that they are here today. It is thanks to the assistance of Robert Mykytiuk of the Canadian Ukrainian Immigrant Aid Society that they are here today. It is thanks to the assistance of many organizations, including that of our Secretary for External Affairs, the Right Honourable Joe Clark, and our government, which have made very determined efforts to have them here with us in Canada. We welcome Andrew Klimov, representing the Russian Orthodox Church, and Mrs. Slava Stetsko, president of ABN International, two individuals who have fought very hard for the cause of liberty for all men.

Thank you, Mr. Speaker, for giving me the privilege of saying a few words in addressing these five heroes.

Mr. Rae: It is a fact of Ontario and Canadian history that refugees from Russia and from the Soviet Union have made this country their home

for a century. It is important for our recent visitors to know that, in joining us in this country and, we hope very much, in this province, they are part of a wonderful tradition in which those who have found oppression have looked to this country for freedom.

What I would like to say to these gentlemen is that they are so welcome in our country. We salute them for their courage. Like freedom-loving peoples all over the world, we object strongly and deeply to the events that are going on in Afghanistan, which have been described in such eloquent terms at the United Nations by my predecessor, Mr. Lewis. I say not in jest but in all seriousness that the one great quality of coming to this country is that they can choose which political party to support, or whether they want to support one at all, and can choose how to live their lives and how to participate in our life here.

We wish them well. We hope they will be able to find work and a sense of being at home in this country. We hope we are going to be as generous in reality as we would like to be in spirit. We welcome them all here, and we thank those who made this visit possible.

13:50

Hon. Mr. Nixon: I join with the other members who have already spoken in welcoming the five young men who have come to Canada under such interesting and, I am sure, exhausting circumstances. If all else fails, I am sure they could very well make a good living by recounting to all the citizens of this country their experiences, both in the Union of Soviet Socialist Republics and, most particularly, in the three years they have just ended in Afghanistan.

The member for High Park-Swansea (Mr. Shymko) indicated the importance of our recognition of the state of life that these men have abandoned to search out something better, something we hope we are continuing to improve, in this nation. I was quite interested to notice that on the list of those to whom he gave thanks and congratulations for their presence was the Secretary of State for External Affairs. I thought he might have mentioned as well the people at the Kingston Whig-Standard and some others. People who are interested in foreign affairs and who follow politics closely can make their own judgements on these matters.

The five gentlemen who are in the gallery at present are most welcome. We will follow their new careers in this province and in this country with the greatest of interest and we hope with suitable assistance. While we are far from perfect in our own jurisdiction, every day, as my

colleague the member for Parkdale (Mr. Ruprecht) pointed out to me a moment ago, we pray that this is going to be a jurisdiction where freedom prevails and justice rules. That is our goal, and we are honoured and delighted that these five young men have joined us here in pursuit of it.

13:53

STATEMENTS BY THE MINISTRY AND RESPONSES

LIQUOR WAREHOUSES

Hon. Mr. Kwinter: I would like to make a brief statement in reaction to the release yesterday of the Provincial Auditor's report as it relates to the Liquor Control Board of Ontario.

In his report, the Provincial Auditor drew attention to inventory shortages of \$434,000 at the leased Kipling Avenue warehouse and \$271,000 at two public warehouses.

First, let me deal with the Kipling Avenue warehouse, which now has been closed down and operations transferred to the Durham region computerized warehouse. The LCBO recently set up a task force to investigate these matters, and I am informed that its preliminary results indicate that about 70 per cent of the discrepancies, amounting to more than \$300,000, is the result of paper error, computer tape problems and book entries; so these figures do not represent revenue losses. Another approximately \$100,000 of this shortage is a result of theft. In this connection, four employees and one outsider have been charged for some portion of this.

In regard to the two public warehouses, \$184,000 of the \$271,000 in discrepancies was due to data input errors or problems relating to procedural error. This was based on a stock inventory testing of only five brands and noted in the Provincial Auditor's report.

Figures regarding paper and computer input error may be found to be higher, thus lowering the overall discrepancy factors, after the LCBO task force has completed its investigation. I am informed by the chairman of the LCBO that the task force investigation into these matters will be completed within two weeks. He will then present his final report to me.

I should point out that the discrepancies outlined in the Provincial Auditor's report cover an operational period of two years, not just one year. For the information of the House, I should also mention that sales through the LCBO amount to about \$1.6 billion annually; so we are talking about two years of operation that amount to sales in excess of \$3.2 billion.

None the less, even these relatively small losses through theft, in comparison to total sales and stock inventory over two years, have caused the LCBO to implement improved security measures that, along with more sophisticated computerized systems now in place, should reduce theft opportunities.

In connection with the Provincial Auditor's observation relating to the \$245,000 paid for import duties for inventory that never existed in the first place, I understand that when the adjustments are made to correct book entry errors, these moneys will be reclaimed from the federal government.

Mr. Gillies: In response to the Minister of Consumer and Commercial Relations, I am not sure I can become as angry as my colleague in his comment on adult education, although this is a serious matter.

The Provincial Auditor pointed out yesterday in his report that \$434,000 worth of liquor was missing from the Kipling Avenue warehouse. We see this as very serious. Now that the minister has pointed out that this was over two years and not just over one, I guess it is okay and the auditor should apologize to the minister for even having brought it up.

We actually do take this quite seriously. I can see from recent events brought up in this House how liquor can go missing in this government. It tends to wind up in most unusual places, here and there. We hope the minister will take this matter very seriously. I guess we as members should take some solace in the fact that the majority of the loss, according to the minister's statement, was due to poor accounting and other procedures as opposed to theft.

None the less, from a public accounts point of view, I am sure the minister will agree that procedures have to be put in place to ensure that this is not repeated on an ongoing basis. I encourage him to do everything within his power to keep a close watch on his liquor.

Mr. Philip: I will respond to the statement by the Minister of Consumer and Commercial Relations. As I was on my way into the lockup yesterday, a reporter asked me, "What will be in the auditor's report?" I said: "There is one thing I can guarantee. There will be a criticism of the LCBO, because it is there every year."

Year after year, those of us on the standing committee on public accounts have had that body before us with constant examples of squandering from the public purse. This year was no different. The Minister of Consumer and Commercial Relations was told by members of this party,

myself included, that there were problems at the Kipling warehouse. He did nothing about any of those problems, be they personnel or other problems.

Of course, now we have him saying he set up an inquiry. It is interesting that he does not mention when the inquiry was set up. I think we will find that the inquiry was set up after the Provincial Auditor came to his ministry and said: "There are problems in our audit with the LCBO. More than \$600,000 worth of liquor is unaccounted for."

It is not as though it is just this one agency of this ministry. The auditor's report is also critical of the management by this minister and this ministry of other agencies under his control. Page 47 of the report deals with inadequate control of lottery licences by the lotteries branch of the Ministry of Consumer and Commercial Relations.

Whenever we bring to the attention of the Minister of Consumer and Commercial Relations that there is a problem in his ministry, he acts either as an apologist for the bureaucrats or, in so many cases, as an apologist for large corporations such as those in the insurance industry.

Since the days of Sidney Handleman we have not had a minister who has done so little for the consumers of Ontario and who has exercised his responsibility in this province so little. The minister owes an apology to the taxpayers as well as to the members of the House for his inept management of his ministry.

ADULT EDUCATION

Hon. Mr. Conway: Public school boards in Ontario provide approved adult education programs to both public and separate ratepayers of the board without the payment of a fee. The programs are funded through a combination of provincial grants and local property taxes.

The changes in tax assessment accompanying the implementation of Bill 30 on January 1, 1987, have created some concern that public school boards will be unable to continue offering such programs to adult separate school supporters. Therefore, I would like to take this opportunity to announce a new formula for the funding of continuing education programs in Ontario schools.

Effective January 1, 1987, the grant for continuing education courses that are eligible for grant assistance will be equal to a fixed dollar amount for each full-time equivalent pupil enrolled in the program. For 1987, that fixed dollar amount will be \$1,900. The grant is

designed to cover the full cost of providing continuing education programs and will not require any taxes from local ratepayers.

The continuing education courses eligible for this assistance include adult credit courses, adult basic education, which includes English or French as a second language, citizenship and language instruction and adult basic literacy and numeracy and, finally, correspondence courses.

I would like to add that school boards which might otherwise lose funding under this new formula are guaranteed their current grant, based on the previous formula, for the period from January 1, 1987, to August 31, 1987. No board will be placed at a disadvantage because of the change I am announcing, and in fact many school boards will actually benefit from the new funding formula.

Because the new grant will be payable to school boards at 100 per cent, references to residency, direction of tax support and differences in rates of grant are no longer applicable.

I want to assure the House of my ministry's continued commitment to the provision of adult education and to draw the House's attention to the work of the task force headed by Jane Dobell of the Ottawa Board of Education. Mrs. Dobell and her group have arranged with the Ontario Association of Education Administration Officials to examine the cost of offering representative continuing education programs, and its findings will help to determine the grant for each full-time equivalent pupil after 1987.

Providing an opportunity for residents of Ontario to receive adult education programs is an ongoing concern of this government and this ministry. With the new funding formula in place, I am confident we can continue to support continuing education programs throughout our school system.

Mr. Davis: If this were not such a serious matter affecting education in this province, the minister's response would be laughable.

The minister was informed that he was going to experience difficulty in this area of the delivery of education more than two years ago, during the debates on Bill 30, by such distinguished persons as Mrs. Penny Moss, chairman of the Toronto Board of Education; Jane Dobell, who came and told him; and my colleague the New Democratic Party Education critic, the member for Hamilton West (Mr. Allen), as well as myself. Today, he has decided to act.

The minister has again demonstrated his inability and ineffectuality in responding to educational concerns. His cavalier attitude in this

area has been a major contribution to bringing about confusion, misunderstanding and chaos in the education circles of this province.

We see this action in response to Bill 75, where this minister has refused to meet with people and boards that are having great difficulty, such as the Prescott-Russell board and the Sudbury board. It took this minister two and a half years to arrive at a decision that was very straightforward and was the only decision he could arrive at.

He should be ashamed of his inaction, his encouragement of chaos in the education system and his mismanagement. Perhaps in the future he may wish to consult with members of the opposition party to help him arrive at a decision much sooner.

Mr. Allen: In response to the announcement of the Minister of Education with regard to the adult education grants he is now making, I appreciate very much that he has responded in terms of the principles we have tried to outline in the past two or three weeks that must guide any resolution of this problem. Therefore, I am happy that he has taken that high road, which will avoid the legal issue that was posed by the judgement given to the Metro public board, and that the solution will not promote duplication in the field but will make it possible for all boards to move without confessional or denominational tests with regard to their applicants for adult education.

I remind the minister, however, that he is just turning a small corner in adult education. I am sure he is aware of that. There are many unresolved issues out there that need to be tackled in this department of his responsibilities, and we have some ground to make up.

Perhaps the critic from the Conservative Party, who vented a great deal of noise on this issue, was trying to obscure the past with regard to the losses we made in 1983 and 1984 in the whole adult education field. I hope that, having got that out of his system, he will now adopt a more constructive approach and we can all work together to make adult education a fruitful and hopeful offering for the people across this province.

14:07

ORAL QUESTIONS

PLANT SHUTDOWNS

Mr. Grossman: My question is for the Minister of Industry, Trade and Technology. We are informed that he had a half-hour meeting with Goodyear yesterday. At that meeting, apparently

by his own admission in the morning papers, his efforts failed. Given that, can the minister outline to the House today the profit and loss situation of the plant in Etobicoke so that the government and all of us can decide what the next appropriate step might be?

Hon. Mr. O'Neil: The report in the paper was inaccurate. The meeting was not for half an hour; it was closer to an hour and three quarters. It was not in the Mowat Block; it was in the Hearst Block.

The Leader of the Opposition had a question as to the profitability. This matter was raised on Monday. The profitability of the company in 1985 was low because of the strike it had in Valleyfield. This issue was raised with the company yesterday. We were told by company officials from both Canada and Akron, Ohio, that this plant has not been profitable.

Mr. Grossman: I remind the minister that my question did not relate to the profitability of the company, because no one is proposing that anyone buy the company; it was with regard to the plant.

The minister at the end of his answer indicated he was informed by the officials that this plant had not been profitable. After numerous calls to the union and other people, it is our information that the plant has recently become profitable.

Is the minister in the position this afternoon of saying that almost a week after the announced closing, after the extensive meetings he and the Minister of Labour (Mr. Wrye) have had, he still cannot report to the House definitively with regard to the profit and loss situation of that plant? Does he not have that information yet?

Hon. Mr. O'Neil: As I stated, that question was asked of the company officials yesterday. They replied that the plant was not profitable. I asked whether they would provide the financial statement relating to that plant. They did not offer to do so, upon which I said to them that the Premier (Mr. Peterson) had suggested they might be brought before the standing committee on public accounts and be asked for that information if they did not volunteer it.

Mr. Grossman: Over the years, many ministers have been faced with plant closures. In every instance I can recall, the companies have been willing to hand over the information with regard to the profit and loss statement of the plant. Is the minister in a position this afternoon to tell us that at the end of a meeting of an hour and three quarters, he and his staff were so ineffective that he could not even ascertain the profitability of a plant that is about to go under with 1,500

employees, so he could decide what course of action to take?

How is he going to proceed to defend those workers if he cannot even get the basic information from which to operate to plan his attack in the next few weeks? Is he just going to let the plant disappear without taking any further action?

Hon. Mr. O'Neil: It is hard to see where the member stands as the Leader of the Opposition. He is a Leader of the Opposition who called for an emergency debate yesterday and was not even present for any of that debate. In fact, the member for Oshawa (Mr. Breagh) had to ask for a quorum call because the Conservatives had two members in the House. How interested is the Leader of the Opposition in the company?

If information on the profitability or nonprofitability of the company is not forthcoming, we will demand it. If it is not handed over, we will ask them to go before the public accounts committee to give it.

Mr. Grossman: The minister has not demanded it. He does not have it and he has no idea what to do to get it. His party wanted to debate sexual orientation instead of the Goodyear layoffs. That is where its priorities are.

NURSING HOMES

Mr. Grossman: I have a question of the Minister of Community and Social Services. We understand—and I trust this information is now in the minister's hands—that in the case of Halton Centennial Manor, a home for the aged for which he is responsible, reports indicate that 320 residents are without private washrooms, that washrooms are often without doors, that there is great potential for cross-contamination between clean and soiled laundry and that there are numerous fire hazards.

Can the minister indicate what action his ministry has taken to resolve this potentially very dangerous situation affecting 320 of our senior citizens?

Hon. Mr. Sweeney: The Leader of the Opposition is well aware that the general practice in designing and building homes for the aged in this province was not to do so in such a way that the residents had private rooms or even semi-private rooms. The member should also be aware of the fact that this ministry has launched a \$75-million renovation program for existing homes for the aged around this province.

Recently, we had the opportunity officially to open Kipling Acres, where all the four- and six-bedroom units have been converted into one-

and two-bedroom units, and even the two-bedroom units, each with its own washroom, have a dividing wall between them. We are in the process of going across Ontario and renovating the facilities that were part of our inheritance in this ministry. We will be moving into Halton Centennial Manor as well.

Mr. Grossman: Those are all laudable goals. However, they do not provide much help for 320 senior citizens who, as we speak here, are living in a home that has numerous fire hazards, by the admission of everyone who has looked at the building, and are in a situation where they are eating in the halls because the dining rooms are overcrowded. To make the situation that much worse, it is reported that in one of the buildings so much sewer gas is escaping from the basement that there is a foul odour throughout the building.

How long is the minister prepared to leave 320 senior citizens living in this dangerous and unacceptable situation? Is he going to fix it immediately and move the seniors or is he content to leave them in those circumstances?

Hon. Mr. Sweeney: To the extent that there are specific emergency needs, they will be met. In fact, they are continuing to be met. I ask the honourable member what his priority list is. This ministry has a list of the homes for the aged across the province that are being renovated, and many of these are in the ridings of his members, who are well aware of that.

The second point I make is that each of our municipal homes has a board of management, which reports to the local municipal council and also works very closely with our program supervisors. The kinds of situations the member has described, particularly those that deal with fire hazards, are dealt with directly by the local municipality and the local board of management. That board of management has some responsibility in those areas and our ministry has some responsibilities. We work closely together.

Mr. Grossman: I point out that, as the auditor outlined yesterday, the minister cannot get away from the fact that the legislation makes him and his ministry responsible for conditions in those homes. Through the boards of management or whatever, he is the person responsible for the condition of those homes. If he is reporting to us that there are homes across Ontario that are higher on the priority list than this one, then he must be saying there are homes in even more serious situations and senior citizens facing even greater fire hazards and even more deplorable circumstances in terms of their washroom facilities than these. If so, can the minister tell us

whether he agrees that this is indeed an emergency situation? Why will he not move immediately to resolve the situation for these 320 seniors?

Hon. Mr. Sweeney: The member is probably aware that there are 184 homes for the aged across this province, 94 under the jurisdiction of municipalities and 90 under the jurisdiction of charitable boards of directors. Therefore, it is entirely possible there are others that have greater needs than those the member just described. It is my presumption that those are the basis of our priority list.

I am quite prepared to look at the individual circumstance the member describes and to have my staff take a look at it. I am quite prepared to suggest to the member that the local board of management is dealing with this situation as it deems possible. I remind the Leader of the Opposition that up until 1972, during the jurisdiction of the previous government, there were regular ministry inspections of homes for the aged. At that time, it was a decision taken by the previous government that the ministry should not conduct direct inspection but that it should be the responsibility of the boards of management, which were constituted and set up with the authority and the approval of that previous government.

Shortly after my becoming minister, my ministry launched an accountability review of all the agencies, including homes for the aged, to see precisely how that system was working out. Where changes are necessary, changes will be made. As my leader said, we are not wedded to the previous government's past.

TARIFFS ON SOFTWOOD LUMBER

Mr. Rae: The road to Damascus is beginning to look like the Don Valley Parkway at five o'clock.

My question is for the Minister of Industry, Trade and Technology. I am rather astonished that the minister has not made a statement about Goodyear. I am also astonished that he has not made a statement to the House with respect to the question of softwood lumber exports and the so-called deal that was either worked out or not worked out at the first ministers' conference. The minister will know that time is running out with respect to the filing of an appeal and the formal filing of papers in the United States.

Is it the intention of this government, given all its protestations and statements and the flurry of rhetoric that we have heard over the past while, though not during the critical period when the 10

per cent was given away, to fight and fight and fight again, as was stated so often during the past week?

14:20

Hon. Mr. O'Neil: I thank the member for the question. It is just too bad the leader of the third party could not have been out west to see what a great job the Premier (Mr. Peterson) did in fighting for this province.

Mr. Rae: Mr. Speaker, on a point of order: Neither I nor the Leader of the Opposition (Mr. Grossman) was invited to attend the conference.

Hon. Mr. O'Neil: It is just too bad the leader of the third party was not there.

To reply to his question, yes, we will continue to pursue this in the interests of the industry here in Ontario.

Mr. Wildman: The minister has not made clear whether this province intends to file before the deadline at the end of this week.

As well, if there is to be a deal, as the federal government and the governments of British Columbia and Quebec are saying, does the minister know how the 15 per cent increase is to be made up? Will it be made up of increases in stumpage fees or of some kind of export charges or of a combination of the two? Can he answer those two questions?

Hon. Mr. O'Neil: First of all, we have engaged the firm of Hogan and Hartson in Washington through Blake Cassels and Graydon of Toronto, who will be representing us. They have filed notice with the Americans that we wish to receive all the information. They will be our agents there to represent Ontario.

With respect to discussing how the 15 per cent or 10 per cent or any percentage will be handled, we take it that we should be fighting it and that we should not give in to any agreement such as that.

Mr. Laughren: I do wish the minister had responded to my colleague's question.

The minister would know that just in the very recent past there have been layoffs at Searchmont, north of Sault Ste. Marie, and at Terrace Bay, and that last night there was an announcement of the shutdown of the largest sawmill in Ontario at Nairn Centre in my own constituency. The minister must surely understand that this could be just the beginning, because the United States industry has indicated it is not satisfied with the 15 per cent tariff; it wants 20 per cent or more.

Given that and given the fact that this could very well lead to a whole new era of shutdowns and layoffs in northern Ontario that would create

two Ontarios even more starkly than now, one in the south and one in the north, can the minister tell us what plans he has to respond to this new crisis of unemployment in northern Ontario?

Hon. Mr. O'Neil: As I have mentioned on previous occasions, we are very concerned with any unemployment that happens. We have been trying to work very closely through our regional offices and through meetings that my staff and I and the Minister of Natural Resources (Mr. Kerrio) have had with those communities. We will continue to do what we can, but we feel we cannot give in to 15 per cent, 20 per cent, 25 per cent or 30 per cent. We have to fight that issue and take it to the courts right through the system.

SOCIAL ASSISTANCE

Mr. R. F. Johnston: I have questions for the Minister of Community and Social Services. I will pose to the minister three hypothetical circumstances that point out some of the irrational discrepancies in the social assistance system and then ask for his comments on them.

First, 14-year-old Sarah and 10-year-old Adam are currently living with foster parents, Mr. and Mrs. Black. The ministry's 1985 guidelines for foster care suggest that the Blacks should receive \$535 a month to feed, clothe and look after Sarah and \$440 a month for Adam.

Next week, Sarah is returning to live with her mother, a single parent on family benefits. His ministry will provide Sarah's mother with only \$115 a month extra for the same purposes. Adam is returning to his parents, who have been on welfare since his father was in a car accident. They will receive less than \$100 a month extra from welfare when Adam returns.

Given that foster care rate guidelines clearly indicate that those costs are only for the cost of the child, how can Sarah's and Adam's parents do the same job with 25 per cent of the money? What does the ministry think Adam and Sarah should do without when they go home?

Hon. Mr. Sweeney: The honourable member will be aware that the foster parent program is a very specific one, having a specific goal, which is to encourage other families to take into their homes children who are not their own. It also takes into consideration the fact that many of these children have specific needs that cannot be met in their own families. If they could, they would not have to go into a foster family.

When we look at the financial resources we provide to a foster family, we have to look at the fact that this is not their child. They are not directly responsible for this child. There are

special needs above and beyond food and clothing, and they are making a contribution to society above and beyond that of a natural parent.

I am not suggesting the amounts we give to the natural parents are necessarily enough. That is one of the reasons we are having the review. However, there should be a clear distinction made between the role of a foster parent and the role of a natural parent and the responsibilities of each.

Mr. R. F. Johnston: The record will show that the guidelines clearly indicate they are only for the cost of the child and not for other exceptional circumstances and certainly not to encourage people to become foster parents.

When the minister made his announcement about the new rates on November 4, he said, "Today's announcement demonstrates that we are not putting action on hold while we explore the possibilities of more fundamental change through the review process." I do not think this needs to wait either.

Here is another example. Daniel is a 66-year-old man. The provincial government guarantees that Daniel receive \$727 a month through his guaranteed annual income system. Daniel's friend Joe is 59 years of age. He is blind, confined to a wheelchair and lives in Metro Toronto housing. The provincial government provides Joe with only \$458. If he were living in a high-rent private apartment, he would get a maximum of \$605 under family benefits. If one is on welfare, the figures would be \$301 as a minimum and \$458 as a maximum this coming January.

If Daniel is just managing to get by on his \$727, how does the minister expect Joe to survive on \$458 or \$301? What does the Ministry of Community and Social Services expect Joe to do without? Both are unable to work. Why do they not have the same needs and the same money?

Hon. Mr. Sweeney: On a number of occasions, and quite rightly so, the honourable member has drawn to our attention the difference between the support that is made available to a senior and that made available to a disabled person in our society. I understand from his question that this is the same distinction he is making again today.

I draw to his attention the fact that the higher amount made available to a senior is a federal allocation. The decision the federal government makes with respect to additional money to seniors is a decision it makes within its own realm. I certainly do not quarrel with it.

I have pointed out to the honourable member that while there is still a differential, we have at every opportunity closed the gap between the disabled and the aged. It is now considerably below what it was when we took over the government. I announced in my most recent rate increases that we are closing the gap further still. I recognize the problem; I accept the expression of the member's concern. We will continue to close that gap.

Mr. R. F. Johnston: Let us deal with an area that is absolutely within the minister's jurisdiction, although I am surprised at the minister's wanting to recommend that the federal government should be more generous than himself.

Mr. Speaker: Final supplementary.

Mr. R. F. Johnston: The example is as follows: The father of Karen and Rachel injured his back on the job and is receiving total temporary benefits from the Workers' Compensation Board, which guarantees him 90 per cent of his net earnings. His family would receive about \$1,540 a month if he was earning the average industrial wage when injured.

The father of Joann and Jim hurt his back at home. When his unemployment insurance ran out, he turned to welfare, which will provide the family of four with a maximum of \$748, excluding shelter subsidy, and a maximum of \$985 with the maximum shelter subsidy. Why does the provincial government discriminate according to where one is injured? Is the injury not as significant if it happened at home as it is if it happened on the job? Why do they not receive the same amounts?

14:30

Hon. Mr. Sweeney: Once again, we are talking about two quite different programs. There has been considerable discussion—and I recall when we were debating the changes to the workers' compensation legislation—that there should be a single program to assist all people who are injured, whether at home or in the work place. That is still a valid observation and point for investigation.

At present, the workers' compensation program is funded entirely by the employers of Ontario, and the welfare program is funded entirely from the tax base of Ontario. The amount of money that comes from the welfare program is based upon a needs assessment, whereas the amount of money that comes from workers' compensation is based upon a percentage of income. The criteria are quite different, and one

would not expect that the two end-result figures would be the same.

LAYOFFS IN NORTHERN ONTARIO

Mr. Pope: I have a question for the Minister of Industry, Trade and Technology, otherwise known as the minister in charge of the deindustrialization of Ontario.

Mr. Fontaine: Big deal. Talk about the years you were there.

Mr. Pope: The member for Cochrane North (Mr. Fontaine) did quite well out of Progressive Conservative governments.

Mr. Speaker: Order. Would the member take his seat.

Interjections.

Mr. Speaker: Order. Would the two members for Cochrane contain themselves. I remind all members that it is much better not to point across the floor but to direct their questions through the Speaker.

The member for Cochrane South with a question, please.

Mr. Pope: I hear you, Mr. Speaker. I would like to ask the Minister of Industry, Trade and Technology about layoffs in resource industries in this province. Once again we know of layoffs, this time at Ontario Paper Co. in Thorold, where 90 jobs have been lost in the sulphite pulping plant and another 230 jobs are potentially at risk.

Is the minister going to meet with the officials of that company and with the workers' representatives? When is he going to do that? What is he going to do to protect those workers and help them out?

Hon. Mr. O'Neil: First of all, we are very concerned whenever there are losses. Ontario Paper Co. did announce that one year from now, there would possibly be a layoff of 90 people. The president of that company was kind enough to call me and some of the other members to discuss the matter. We will continue dialogue with him to see in which way we can help him.

Mr. Pope: The minister did not answer the question as to what he was going to do to help those workers. I find it rather ironic that the president of the company would have to call the minister. The minister does not take it upon himself to call any of the chief executive officers of these companies to try to deal with this situation.

We have checked a number of resource companies across northern Ontario that have announced layoffs, including those companies in the riding of Cochrane North. We have checked

with a number of CEOs in these companies, and not one of them has been contacted by this minister or by any other minister of this government after layoffs have been announced.

Why does the minister have a double standard? Why is he so rightfully engaged in meeting with the representatives of Goodyear and with the workers' representatives at Goodyear in Toronto, and yet he does not give the CEOs and the workers in northern Ontario the time of day and of this government?

Hon. Mr. O'Neil: I believe the member for Cochrane South asked a similar question of the Minister of Natural Resources (Mr. Kerrio) yesterday, and he was given an excellent answer. This ministry and the Ministry of Natural Resources have been in touch with the people of the north. The member knows our offices throughout the north have been in constant touch with them. The minister, the Premier (Mr. Peterson) and I have met with the industry officials. We are meeting with them this week and again next week.

Mr. Pope: On a point of privilege, Mr. Speaker: The minister has stood in his place and knowingly said something that we know is not factually correct. He has not met with a single senior—

Interjections.

Mr. Speaker: Order.

Mr. Swart: I want to pursue further this matter of the layoffs at the Ontario Paper Co. in Thorold. The minister indicated that the company is shutting down the sulphite operation in a year's time and that 90 people will be laid off. The facts are, and the minister ought to know them, that it is going to shut down the chemical operation unless it can sell that too, and the total number of people out of work will be 320.

Given that this company received \$32 million in public funds five years ago, \$21 million of that from the taxpayers of this province, and given that any prudent minister would follow closely the employment policy of the company, can the minister tell us when he first knew of this decision by the company and what input he has had with the company already?

Hon. Mr. O'Neil: I thank the member for the question. When the president talked with me yesterday or the day before yesterday, he did mention that he had also talked with the honourable member. Of course, the member has concerns, as we do.

With regard to the chemical plant, those layoffs are not definite in any way at all. There is

a prospective buyer, and our ministry has been involved in looking for other prospective buyers. I hope a buyer can be found and those jobs will be saved.

Mr. Swart: It is preposterous that the minister did not know a decision was being made. The company announced a year ago that it was considering this shutdown, and the minister would not have been notified by now if I had not mentioned it to the president of that company when he called me on this issue.

By way of supplementary, I remind the minister that there is the probability of saving more than two thirds of those jobs if the sale of the chemical division to another paper mill goes through. Will the minister belatedly and with some determination and some resources, if those are necessary, now intervene to ensure that the deal goes through so those 225 jobs can be saved?

Hon. Mr. O'Neil: As I mentioned, I would think the president would have had the courtesy to call not only the member opposite but also me and other people. I believe he called the Minister of the Environment (Mr. Bradley) too. I do not think the member is any more special than either the Minister of the Environment or me. He just cannot be.

As the member is aware, there is one prospective buyer. We hope there will be others with whom we will also be able to talk and give assistance, if possible.

LAYOFFS IN SUDBURY

Mr. Gordon: I have a question for the Minister of Industry, Trade and Technology. Can the minister explain why his government is prepared to haul the executive members of Goodyear before a committee of this Legislature for a Toronto layoff, and yet it is not prepared to haul in Bill James in Falconbridge, who will be laying off more than 500 men, with the attendant suffering to those workers and those families in Sudbury?

Hon. Mr. O'Neil: That matter has been raised on a couple of occasions. Of course, we are very concerned about the loss of those jobs in Sudbury. We will be doing everything we can to find work for them and to see that they are given work.

14:40

Mr. Gordon: It is quite obvious that this government has a double set of standards. It has one set of standards for southern Ontario and vote-rich Metropolitan Toronto, and it has

another set of standards for northern Ontario and the Sudbury region.

Interjections.

Mr. Speaker: Order. We will wait until things settle down. I do not think anyone heard what was said. Can the member briefly repeat the question?

Mr. Gordon: Yes. My question was of the Minister of Industry, Trade and Technology. There is a double standard where this government is concerned. It is saying the Toronto layoffs must be justified, but in the north it is due to world competition for resources. When is the minister going to start standing up for the people of northern Ontario, and in particular for the people in Sudbury, and bring them before a select committee of this Legislature?

Hon. Mr. O'Neil: We have been standing up for the people of northern Ontario, and we will continue to do so.

I understand a meeting was called a couple of weeks ago that he, as the member for Sudbury, did not even turn up for. I also understand there was to be an arrangement where we would set up another meeting for him, but he did not take that up either.

We are very proud of the record in Ontario, with one of the lowest unemployment rates in all Canada. We will continue to work to see that same rate drops in northern Ontario.

Interjections.

Mr. Gordon: On a point of order, Mr. Speaker—

Mr. Speaker: Under which standing order?

Mr. Gordon: The minister is dissembling when he says that. That is not the truth at all.

Interjections.

Mr. Speaker: Order. I inform all members that we may take a recess to keep things toned down.

Interjections.

Mr. Speaker: I said we may. Order.

HOUSING FOR THE DISABLED

Mr. Rae: I have a question for the Minister of Housing regarding the housing of the disabled. First, I would like to ask him about the home renewal program. Can he explain to the House why there has been no new money put into that program for the past three years? Can he explain why the maximum grant of \$4,000 is available only to people who are making \$6,000 a year?

Hon. Mr. Curling: I have told members the reason no new money was invested in the Ontario

home renewal program in two years was that three years ago those moneys were in the municipalities and were not being used. What we have done is to go back to the municipalities, reactivate those moneys and say we must use them. If they are not going to use them, we will move those moneys around. There has been a tremendous amount of activity in the past year for money that was sitting in the municipalities. We have had great results from those new, reactivated programs.

On the member's second point, the minimum of \$6,000 has been raised a couple of times. We have been looking at it.

Mr. Rae: I want to ask the minister a question about a constituent of mine who came to see me last night. Her name is Lorraine Cahoon. She has four children. Her 13-year-old daughter, whose name is Sharleen, has spina bifida. She has been in a wheelchair all her life.

The minister has a program for the private sector, which is very inadequate. Lorraine Cahoon and her family are in a four-bedroom townhouse in my constituency, and they cannot get a lift. The result is that every two or three hours Mrs. Cahoon has to carry her daughter up and down the stairs.

Can the minister explain how this situation can continue in Ontario in 1986? How does the government feel about this, given all its expressions about helping people with disabilities? How can he explain the complete blockage of any attempt to deal with this problem? We have been dealing with Mrs. Cahoon's problem for months, and we have had no solution. How can the minister justify that?

Hon. Mr. Curling: With respect to the government's approach towards the disabled, we have the Minister without Portfolio responsible for disabled persons (Mr. Ruprecht).

The honourable member gives the impression that nothing is done in our housing programs in the public sector. We have made provision for the disabled in our housing programs. I fully agree with the member that this is not enough to deal with the problems of the disabled. It is very unfortunate that the individual the member mentioned has to go through these steps over a long time to address that problem. We hope that within approximately two years we will be able to resolve all those problems. I know it is not fast enough, but we are addressing the problems the best way we can.

[Later]

Mr. Rae: On a point of order, Mr. Speaker: I want to correct the record with respect to a

question I put to the Minister of Housing (Mr. Curling). I failed to mention an extremely relevant fact in my supplementary, that Mrs. Cahoon is living in Metropolitan Toronto Housing. She is a resident in public housing and is a recipient of family benefits. Having failed to mention those facts, I needed to do so to get my point across to the minister.

LAYOFFS IN SUDBURY

Mr. Pope: I have a question of the minister of deindustrialization of Ontario.

Hon. Mr. Bradley: There is no such minister in the House.

Mr. Pope: He is the minister who just said to the House he is proud the unemployment rate in northern Ontario is 13 per cent, the same minister who said he is proud of his government's performance.

Hon. Mr. O'Neil: Mr. Speaker, on a point of privilege: I did not say that. I said the unemployment rate in Ontario is 6.9 per cent, and we hope to lower the rate in northern Ontario. That is what I said.

Mr. Pope: The minister said he was proud of his government's efforts when we have unemployment rates of 15.5 per cent in Sault Ste. Marie, 10.6 per cent in Sudbury and in excess of 13 per cent across northern Ontario. The minister is proud of that; he said so two minutes ago.

Getting back to the question of the member for Sudbury (Mr. Gordon), I want to know why the minister has a double standard. Why will he meet with the Goodyear executives here in Toronto and say he is going to bring them before a committee of the Legislature, when he refuses to listen to the people of Sudbury and bring the Falconbridge executives before a committee of the Legislature? Why does the minister have a double standard?

Hon. Mr. O'Neil: We do not have a double standard. We are trying to correct some of the problems the member's party did not correct for 42 years. This province has never had more industrial development than it has had during the past year and a half. We are planning to do more things for the north and to give some of the industry to the north.

With regard to the member's question about meeting with people, we have met with them and we will continue to meet with them.

Mr. Pope: This minister is proud not only of the unemployment rate in northern Ontario but also of what is happening to the industries in northern Ontario.

Interjections.

Mr. Speaker: Order.

Mr. Pope: I have a supplementary.

Mr. Speaker: I was waiting for it, but the member was giving a speech.

Mr. Pope: It is to the minister who is so proud of the state of the resource sector in northern Ontario. Why will he not have the officials of Falconbridge brought before a committee of this Legislature, the same kind of standard he has for Goodyear?

Hon. Mr. O'Neil: The member sinks kind of low in some of his comments to this side of the House. Might I say that if he were here a little more often he might be able to fight for the north a little better.

14:50

HIGHWAY SAFETY

Mr. Pouliot: My question is for the Minister of Transportation and Communications. I come to the minister this afternoon as a last resort. In the past month, there have been at least 10 fatalities on northern Highways 11 and 17. I have mentioned to the minister in the past that the degree of road maintenance this year has been either deplorable or, in most cases, nonexistent.

I ask him today specifically to take the responsibility of helping his ministry end the carnage that is taking place in the north. If the same situation were to happen in southern Ontario, there would be an association of concerned citizens suggesting that someone had blood on his hands. What specific steps is he willing to take to end the fatalities and the many accidents that have been occurring in the north?

Hon. Mr. Fulton: I can assure the honourable member from the north that we take the safety of the travelling public just as seriously in northern Ontario as we do in southern Ontario. That is one of the reasons we recently rejected increasing the speed limits in northern Ontario. That had been petitioned for by one of his colleagues from the north.

I am aware of the statistics the member has presented me with. We are attempting to get the details of the nature of the fatalities. On the first go-around, road conditions had little to do with some of the fatalities, as I indicated to the member. Until I am able to conclude precisely the times of day, the road conditions and other circumstances in relation to any major accidents, and certainly to ones that resulted in fatalities, I will not attempt to respond to each of the 10

fatalities the member brought to my attention yesterday.

We will have that information and I will be only too pleased to give it to him. I assure him that the levels of maintenance standards in the north will not be compromised because it is the north. He will have the same standard of maintenance that we have in the south.

Mr. Wildman: Is the minister aware that as a result of the restraint program of the previous government, in real dollar terms the expenditure of his ministry in capital and in maintenance on northern roads has gone down for the past number of years? Is the minister aware that the patrols now are twice as long as they used to be and that maintenance is much less than it used to be? With regard to a major storm, his crews do not get out now until the storm is over. The travelling public is left to fend for itself unless the Ontario Provincial Police close the roads.

Is the minister prepared to make a commitment to this House that he will increase the funding for maintenance of roads across Ontario, particularly for the poorer roads we have in northern Ontario?

Hon. Mr. Fulton: No one is more aware than I of the previous government's reduction in overall funding to this ministry. For 11 years it was diminished, as the member well knows, from a high percentage of the overall provincial budget to a low of some 5.6 per cent. The member is also aware that in the last two budgets brought in by the Treasurer (Mr. Nixon), the overall share of the budget to this ministry has increased by an average of seven per cent. We will direct as much of that money to highway safety and maintenance as we possibly can.

LAYOFFS AT ETHYL PLANT

Mr. Brandt: I have a question for the very busy Minister of Industry, Trade and Technology. Well over a year ago, I spoke to the minister and the Premier (Mr. Peterson) in this House with respect to the imminent phase-out of tetraethyl lead at the ethyl facility in Sarnia. I indicated to him that jobs would be lost at the plant if the ministry did not take some action to assist with retraining programs or some form of capital assistance to keep the plant in operation.

Can the minister tell this House what his ministry has done during the course of the past year in connection with that plant?

Hon. Mr. O'Neil: I will have to get an update on where that now stands and I will be very pleased to do that.

Mr. Brandt: I am pleased to give the minister an update right now. I understand that six weeks ago the Office of the Premier contacted the plant in anticipation of a question that might arise in the House. My understanding is that during the course of 12 months no official from the ministry has made any effort to save the 155 jobs at that plant. What kind of confidence can the Goodyear workers, or the workers in the north, have in the minister, if he has been given one year's notice and has not even picked up a telephone?

Hon. Mr. O'Neil: Again, I will check on it and get back to the member.

Interjections.

Mr. Speaker: The member for Hamilton East would like your attention so he can ask a question.

PROFESSIONAL CERTIFICATION

Mr. Mackenzie: I have a question for the Minister of Energy. The minister may or may not be aware that the professional and administrative employees of Ontario Hydro—6,500 in number—have applied for certification and status before the Ontario Labour Relations Board. I warned this House a week ago in a statement during members' statements period that the rumours were that 1,500 exemptions or exclusions would be asked for by Ontario Hydro.

Is the minister aware that Ontario Hydro has now gone to the board and asked that 3,100 of these people—half of the unit—be excluded from any right to have organization? Can he tell us what is going on at Ontario Hydro?

Hon. Mr. Kerrio: I certainly am aware of what is happening at Ontario Hydro relative to the professional employees attempting to be taken into a union. I am also very much aware that Ontario Hydro has put before the labour relations board some of the people it feels should or should not be able to comply in order to participate in that union. In answer to the member's question, it is before the labour relations board, where it should very properly be. There will be a decision made in that forum.

Mr. Mackenzie: I am rather surprised the minister made that comment. I wonder whether he will listen carefully for a moment. For eight or nine years now, those employees—all 6,500 of them—have been covered under a voluntary contract, which already recognizes some 250 exclusions where Hydro has the authority to hire and fire. They went before the board and agreed to exclude another 600, which I probably would not have done. That is already there.

Just because they have asked for the added protection of the labour relations board and for certification, why does Ontario Hydro, which has a contract now with these people, now say, "What you had yesterday you cannot have tomorrow; 3,100 employees are not going to be included in that bargaining unit"? It is arrogance; it is a jackass position by that company.

Hon. Mr. Kerrio: The member asked me whether I knew about the situation. I responded and told him that I did know about it. I knew what was happening and I knew it was before the labour relations board.

He must be perfectly aware that the under the Power Corporation Act this is going to have to be discussed and debated between the people who are applying and Ontario Hydro. I do not know why he expects me to be involved in this whole situation. I am absolutely certain he understands that Hydro is now bargaining with the people applying to be certified. I cannot understand why he would come to me with the question.

COURTHOUSE

Mr. Baetz: I have a question for the acting Minister of Government Services. Will the acting minister try to explain the incredible cop-out by his government in the bombshell announcement yesterday that instead of the long-awaited and promised 12 courtrooms to be used by the district and Ontario Supreme Court in the new Ottawa courthouse, we are now going to get only eight?

More specifically, will the minister tell us whom his ministry spokesperson Margie Lockhart consulted? What information led her to say, "It was my information they were not required right now. Adding funding for 12 courtrooms was never approved." She thereby contradicted an earlier announcement by the former minister, the member for Oriole (Ms. Caplan)? Who is running the store over there?

15:00

Mr. Villeneuve: The store is closed down.

Hon. Mr. Conway: Never in Moose Creek.

I say to my good friend the member for Ottawa West, whose question I welcome, that I will let our client, the Attorney General, defuse the bombshell, if nothing else.

Hon. Mr. Scott: I had the occasion to discuss this matter with the president of the Carleton County Law Association. The circumstances are, as the honourable member will know, that the new courthouse, which I think opens this

week in Ottawa, has 27 courtrooms, including six jury courtrooms, to serve three courts.

We have indicated to the president of the Carleton County Law Association that there is no present evidence that there is the capacity to provide judges to serve additional courtrooms. We have asked the president of the county association and the local judges to monitor carefully the utilization of those 27 courtrooms, and if it can be demonstrated that 27 are not enough, the available space in the building will be committed to additional courtrooms at an early date.

Mr. Sterling: The Attorney General should know that before the new courthouse opened this week, seven courtrooms and many chambers of judges were used for district court and Supreme Court hearings. In addition, as I said, many of these trials are held in chambers. Replacing the seven plus courtrooms with eight courtrooms is not going to solve the problem of the backlog in these courts.

When I was a member of the government, I met regularly with the courthouse committee of the Carleton County Law Association to discuss issues such as this. I want to quote to the Attorney General the remarks of the president of the Carleton County Law Association as reported in the *Ottawa Citizen*: "Not only did the government not consult with us, no one in our association even knew a study was going on in October."

Why is the minister offering the citizens of Ottawa-Carleton a second-class justice system in a first-class building? Number two—

Mr. Speaker: Order.

Mr. Sterling: Mr. Houston will be here in Toronto tonight. Will the Attorney General meet with him?

Mr. Speaker: Order. The question has been asked. Would the honourable member take his seat.

Hon. Mr. Scott: I have met with Mr. Houston on a number of occasions and I am perfectly willing to meet with him—he is a longtime personal friend—at any opportunity. Last night when we talked on the telephone, he did not regard it as necessary. I will tell him the member thinks he and I should meet and see how he reacts to that.

Of course, the member has his facts wrong. There are not seven courtrooms; there are 27 courtrooms in this courthouse. The member reflects an earlier age when courtrooms were assigned to one division of the court or the other.

If there were eight Supreme Court courtrooms, those courtrooms could not be used by the provincial courts; and if there were 10 provincial courtrooms, they could not be used by the Supreme Court.

Those days, as the member will know from hearing the statement made about 10 days ago, are over. There are 27 courtrooms provided in the newest and finest facility in Canada in Ottawa. When those courtrooms are shown by utilization to be insufficient, there is space to provide more courtrooms, and we will do so. However, as I indicated in the statement, we do not intend to provide or finish courtroom spaces that are not demonstrated to be required.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question for the Premier. In the standing committee on public accounts several weeks ago, we were going to discuss a 20-part motion as a result of the Provincial Auditor's investigation into the Industrial Accident Prevention Association. That 20-part motion called for, first, \$31.7 million to be given to labour to look after the health and safety matters of workers in this province on behalf of labour, the funds to come from the Workers' Compensation Board. The second part called for the establishment of clinics so that workers could be tested before they died.

The Liberal members of that committee, along with the Conservatives, asked for a delay on voting on items 1 and 2 until we could draft a resolution that was acceptable to all. It now is the Liberal position that they are no longer prepared to support that motion, even though at that time they were prepared to support it. Can the Premier tell me what happened?

Hon. Mr. Peterson: I have no idea what happened.

Mr. Martel: Perhaps it is time the Premier found out what the Minister of Labour (Mr. Wrye) is all about. It is my understanding that the Minister of Labour pressured his colleagues not to support that motion, not to give funding to workers in this province equal to that which the accident prevention associations get and not to establish clinics where workers could be tested before they die, such as at Inco, Johns-Manville and Elliot Lake.

Is the Premier prepared to instruct his members to support that motion so we can get it through? They were prepared to support it until there was intervention by someone.

Hon. Mr. Peterson: My honourable friend has suggested a scenario to the House. I honestly

do not know whether it is accurate or not. I am not familiar with the circumstances, but I will be happy to discuss them with the minister upon his return and with members of the committee. I am not familiar with the merits of the case one way or the other. I will get back to the member.

FUNDING OF POST-SECONDARY EDUCATION

Mr. Ward: I have a question for the Minister of Colleges and Universities. Recently, the minister announced a substantial increase in funding for post-secondary institutions in Ontario. Can he indicate to the members of this House when the formula will be available for each specific institution, so those institutions can appropriately plan their future requirements?

Hon. Mr. Sorbara: I am glad my friend asked the question. I note that since the recent rally at the University of Toronto, the opposition has taken a singular disinterest in the area of post-secondary education. In answer to my friend's question, the matter of formula revision that will allocate the dramatic increase in funding is now before the Ontario Council on University Affairs. I expect the council to report to me within a month or two, and at that time the universities will know precisely how that increment in funding will be allocated, university by university.

DISTRIBUTION OF REPORT

Mr. Philip: On a point of privilege, Mr. Speaker: Yesterday my colleague the member for Algoma (Mr. Wildman) and I were fortunate enough to receive the Provincial Auditor's report because we happened to be on the standing committee on public accounts and were in the lockup. Unfortunately, my other colleagues and members of other parties in this House received this report in their mailboxes only this morning, and I understand some of them have not yet received it. Mr. Speaker, I ask you to look into the possibility that when a report is tabled in the House, it be distributed in the House to all members at the same time as it is tabled.

Mr. Mancini: On the same point, Mr. Speaker: Anyone who was interested in the auditor's report could have attended the lockup and picked up a copy of the report at that time.

Mr. Speaker: I will respond to that point. I received a letter from the Provincial Auditor stating that the report would be placed in all the members' boxes 10 minutes prior to the opening of the House. I will check into it.

VISITOR

Hon. Mr. Nixon: Mr. Speaker, permit me to bring to your attention and to the attention of the House the presence of Sheldon Chumir, a member of the Legislative Assembly of Alberta, who is sitting in the gallery.

15:10

PETITIONS

EQUALITY RIGHTS LEGISLATION

Mr. Hennessy: I have two petitions. One is from the member for Rainy River (Mr. Pierce) and reads as follows, "We, the undersigned, are against Bill 7." It is from Fort Frances.

The second petition reads:

"We, the undersigned, petition the Ontario Liberal government to remove from Bill 7 the amendment that was passed on May 6, 1986, which includes "sexual orientation" in the Ontario Human Rights Code, for the following reasons:

"1. The legislation could affect the traditional rights of religious groups to hire only those staff members whose lifestyle is faithful to the beliefs and practices of the religious community.

"2. Agencies such as those that provide services and companionship to the children of single parents and others in need of care could lose their right to set their own standards of conduct for volunteers and employees.

"3. Schools, day care centres or group homes could be forced to employ those whose code of conduct and sexual orientation is incompatible with the established purposes and guidelines of the institutions."

The petition is signed by 50 people.

Mr. McLean: I have a petition signed by more than 100 people, which reads:

"A number of citizens of the Orillia area are concerned about the insertion of the term 'sexual orientation' into Bill 7 in the Ontario Human Rights Code.

"The insertion of this term greatly offends many citizens in our area, as it takes the right away from us to oppose or object to certain lifestyles which, according to God's word, are wrong.

"We, the undersigned, lodge a protest with you at this time. We trust that you will intervene in this matter now."

DAY CARE

Ms. Gigantes: I have two petitions to present. Both were gathered from members of the public at the Hamilton Women's World. The first reads:

"Child care petition. We, the undersigned, note that you have still not lived up to your promise to 'reform day care policy and funding to recognize child care as a basic public service and not a form of welfare.' We urge you to take immediate steps to fulfil this promise and ensure that good child care is accessible and affordable for all who require it."

The petition is signed by 253 members of the public in Hamilton.

PAY EQUITY LEGISLATION

Ms. Gigantes: The second petition reads:

"Equal pay petition. We, the undersigned, note that you promised in the NDP-Liberal accord to 'introduce legislation for equal pay for work of equal value in both the public and the private sector.' We would like you to live up to your promise and ensure that all women in Ontario are paid the same as men for work that is of equal value."

The petition is signed by 579 members of the Hamilton public.

REPORT

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr34, An Act respecting the City of Windsor and the Windsor-Detroit Tunnel.

Your committee begs to report the following bill with certain amendments:

Bill Pr27, An Act respecting the City of Brantford.

Motion agreed to.

INTRODUCTION OF BILLS

CANADIAN INSURANCE EXCHANGE ACT

Hon. Mr. Kwinter moved first reading of Bill 158, An Act to continue the Canadian Insurance Exchange.

Motion agreed to.

Hon. Mr. Kwinter: It is my pleasure to introduce for first reading the Canadian Insurance Exchange Act, which enables the operation of the exchange as a market facility for the placing of insurance and reinsurance risks.

This special act also provides the exchange with powers of self-government similar to those given to the Toronto Stock Exchange, while the

superintendent of insurance retains residual licensing, examination and regulatory powers. In addition, the act provides for the creation of a security fund to be available to policyholders in the event of syndicate insolvencies.

As a predominantly Canadian facility, the Canadian Insurance Exchange will develop as a strong focal point for the domestic insurance market. It will be aware of Canadian conditions and responsive to Canadian insurance needs, but will also operate in an international marketplace.

This government believes the Canadian Insurance Exchange represents an important opportunity to retain in Canada a larger portion of reinsurance premiums for Canadian risks. It will expand the capacity and availability of direct insurance to Canadians and attract international insurance business.

In its report, the Ontario task force on insurance recommended that the Canadian Insurance Exchange be established in time to take advantage of the reinsurance treaty renewal period starting January 1, 1987. I urge members to bear this in mind during their deliberations of the act.

INSURANCE AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 159, An Act to amend the Insurance Act.

Motion agreed to.

Hon. Mr. Kwinter: It is my pleasure to introduce amendments to the Insurance Act which will give Ontario farm mutual insurance companies the same investment powers as other insurance companies and permit farm mutuals to form wholly owned subsidiary, joint stock general insurance companies.

As widely held, Ontario-based insurance companies, farm mutuals have demonstrated a considerable commitment to providing insurance in Ontario, even in periods of poor underwriting profitability. We want to further encourage that commitment.

The amendments I am introducing today are intended to facilitate the expansion of capacity of the farm mutuals and thereby increase the availability of insurance to Ontario consumers, particularly in rural areas.

These amendments have the support of the Ontario Mutual Insurance Association and of both the Dupré task force on financial institutions and the Slater task force on insurance.

At this time, I am also recommending that the Insurance Act be amended by deleting specific authorization for Ontario insurance companies to

invest in instruments of or guaranteed by the government of South Africa.

As well, today's amendments include provision for insurance companies to own a percentage interest in a securities dealer, consistent with our new policies relating to the securities industry.

ORDERS OF THE DAY

House in committee of the whole.

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT (continued)

Resuming consideration of Bill 7, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms.

Mr. Chairman: When we broke yesterday, the member for Wellington-Dufferin-Peel had the floor.

Mr. J. M. Johnson: I would like to continue in this debate, expressing my very strong opposition to the proposed amendment to Bill 7 on the issue of sexual orientation.

This morning I talked to my assistant in my Mount Forest constituency office. For the benefit of some of the members who are not knowledgeable about rural Ontario, Mount Forest is a small town about 100 miles northwest of Toronto, in Wellington-Dufferin-Peel. It is in the heartland of rural Ontario, a small town of 3,500 population. In that small town we have several active churches and some very fine people. Mount Forest is typical of the 21 municipalities I have the honour to represent.

15:20

My assistant informed me this morning that he had received numerous calls yesterday asking about the outcome of Bill 7. "Had the vote occurred? How did it go?" We do not have the luxury of cable television showing all these wonderful debates that occur in this chamber, but my constituents are concerned about the debate and want to know when the vote is going to occur and how it is going to come out.

As I said yesterday, they are totally opposed to the passage of this section dealing with sexual orientation. Not a single caller expressed support for this amendment. I should update that. I received a telegram just an hour before I came into the House, and I do have two people who indicated support for it. I have one family who supports the amendment.

This morning when I was in my office I received at least a dozen calls. Two, I think, were

opposed to my stand and the rest very supportive. One lady from Scarborough East, the riding of the Minister of Transportation and Communications (Mr. Fulton), said she was very pleased with my stand on Bill 7, applauded the things I was saying in the House and wished her member would say the same things.

I want to ask our new Liberal government where they stand on this issue. Yesterday, the Attorney General (Mr. Scott) made a very emotional speech imploring the members of this assembly to support this amendment. The only other Liberal members speaking yesterday, the member for Grey (Mr. McKessock) and the member for Erie (Mr. Haggerty), both declined to speak in support of the Attorney General on a government bill and, indeed, spoke against it.

The member for Grey gave many reasons for which he was opposed to it. I pose this question: having recorded his opposition to it, is the member going to have the courage of his convictions, stand in the House and vote against the amendment, or is he going to flee the chamber and abstain from voting, in essence having it both ways?

Quite clearly, the Liberal members cannot have it both ways. They should not tell their constituents they are opposed to this legislation and then abstain from voting. If they do, they know the amendment will carry, and their absence will have contributed to its passage just as much as if they had voted for this bill.

I predict this vote will be very close, and the absence of a dozen Liberals will ensure that the amendment they say they are opposed to will then become the law of this land. If that does happen, then those members must accept that they also contributed to its passage and answer to their constituents and explain why they failed to honour their commitment to support their legitimate opposition to this section of Bill 7. I say to my four Liberal colleagues who are in the House that abstaining from voting on this amendment is the same as voting for it.

Now that I have helped the Liberal whip shake up that bunch of misguided individuals, I would like to take issue with my friend and constituent from Erin, the Attorney General.

Let the record show that there are only three Liberals in attendance now.

The Attorney General suggested the church and state should be separate, and he used former President John Kennedy as an example. Like most things in life, this is too simplistic. Very seldom is any issue all white or all black, and

most often things fall into grey areas. This is one of those issues that fall into that grey area.

Very seldom have we as members of this Legislature had to debate a more sensitive, emotional and moral issue. This amendment to Bill 7 and the sexual orientation clause have created a great deal of controversy for all members. If the churches of this province do not speak out on this issue, then they should never speak out on any issue.

Mr. Chairman: There is a stranger in the House. Perhaps under the gallery would be better. Thank you.

Mr. J. M. Johnson: It is a young Progressive Conservative on the way up.

As I was saying before we had the very pleasant interruption, the churches of this province have a responsibility at this time to speak on this important issue, which certainly should concern them.

In the riding I have the honour to represent, Wellington-Dufferin-Peel, there are more than 100 churches; I cannot keep track of the number. There are 21 municipalities, and almost all of them have seven, eight or nine churches in each. Not all the churches contacted me, but not a single representative of a single church supported this amendment.

If our churches do not uphold the moral values of our society, who will? They should and must take the lead in maintaining the social and moral values we all should cherish, values we inherited from our forefathers, values we have an obligation to protect and enhance so that we may pass them on intact to our children and our grandchildren. The churches in Wellington-Dufferin-Peel have responded to this challenge, and I congratulate them for their involvement. I hope they will always give me their guidance on issues of this nature.

It would not be honest of me to imply that all churches are opposed to this legislation. Some churches are split on this issue. My church, the United Church of Canada, happens to be one of them. I would like to read into the record a couple of comments from the Toronto Star of Tuesday, November 25.

"Last week, at its twice-a-year meeting, the United Church general council executive approved a resolution calling for every effort to 'extend the protection of the law to homosexual people' and asked church members to support such a call. All but one of the estimated 50 voting executive members, made up of lay and ordained people from across Canada, endorsed the resolution."

This bothered me. It does not reflect my feelings as a member of the United Church. I spoke to my minister last Friday. I asked him if he thought it represented the views of the church we both attend. He said that in his opinion it did not. He thought the vast majority of the people who attend our church, and most of the United Churches, do not support the resolution of the executive council.

I have been a member of the United Church for more than half a century, and I do not recall ever being asked a question pertaining to my feelings regarding issues such as this. I am not sure where the executive council obtained its ideas, supposedly speaking on behalf of the people it should represent.

To go on with my thoughts that the church is not united on this very important issue, I would like to continue to quote from the same article. Its headline reads: "United Church Group Opposes Homosexuals' Rights Law."

"A United Church evangelical group, bucking the church's official stand, says it opposes proposed legislation that would provide protection for homosexuals. A spokesman for the United Church Renewal Fellowship group yesterday said the fellowship endorsed a motion calling for 'rigorous' opposition to the legislation at a rally in Guelph over the weekend. The group's executive director, Reverend John Tweedie, said the proposed legislation has far-reaching implications for the church, especially over the question of the ordination of homosexuals."

I have six grandchildren. I want to leave them with a legacy of a grandfather who tried to defend and enhance the moral standards of a province that I have had the honour to serve for almost a dozen years. Therefore, I would like to conclude my remarks with a brief summation of my personal concerns about this amendment.

It is my personal belief that to include sexual orientation in the Human Rights Code would change the definition of the family as it is currently understood in Ontario. It would provide a functional definition that does not require heterosexuality as its foundation and would recognize homosexuality as a legitimate alternative lifestyle on a basis equal to that of the traditional family.

15:30

The Charter of Rights states that everyone has a right not to be discriminated against on the basis of race, national or ethnic origin, sex, religion, age, etc. It refers to discrimination on the basis of sex, not sexual orientation. Sexual orientation

refers to an optional lifestyle whereas sex refers to the inherited characteristics of being male or female.

What are the implications of the passage of this amendment into law? Would it mean the legalization of homosexual marriages? Would it permit homosexual couples to adopt children? If not today, what about in the near future? Because there seems to be no definitive answers to these questions, it is my opinion that this amendment will not advance the cause of human rights and serve the common good of all Canadians but rather will pose a danger to the fabric of our society and create a climate in which the law of the land is perceived to condone, approve and promote homosexual behaviour.

In conclusion, I would like to quote Thomas Henry Huxley's comment on rightness, "It is not who is right but what is right that is of importance." That is the issue we have before us today. It is my hope that the members of this assembly will vote for what is right.

Mr. Gregory: On a point of privilege, Mr. Chairman: The subject we are dealing with, Bill 7 and the amendments to section 18, is very important. If some of the caucus members from the Liberal Party cannot be here—only three of them are—at least the minister who is carrying the bill could be here.

Mr. Chairman: Order. That is not an appropriate point of privilege.

Mr. R. F. Johnston: Overwhelmed as I am about my ability to draw a crowd, I welcome all the members of the House and those Conservatives who are now leaving as I rise. It is not unusual for the House not to have many members in it, and I presume that with the new technology, members are crowded around their TV screens in their offices, listening to my every word. This is of course very reassuring.

I stand to speak in favour of the proposed amendment, as will all the speakers from the New Democratic Party. I hope the kind of contribution I make may be in speaking to the need for tolerance and the need for honesty in confronting fear and ignorance and that I will not get too confrontational, as is often my style, around this issue.

I was not able to be here for all the debate yesterday, but I read it all twice. It was a cruel and unusual form of punishment, but I felt I needed that before I came in. Two of the speeches were excellent. Others were not of that quality. I find it strange that one goes from being a rookie here to being, all of a sudden, a veteran. When one can speak of past committees having

dealt with the same subject and when one has been a member of those committees, one is suddenly a veteran.

I was reminded in reading the debate this time that very little seems to have taken place since 1981 in terms of the education of certain members about this issue. Perhaps I will try to be lighthearted about this. I will tell a story around our hearings in 1981, about the inclusion of sexual orientation, when Mr. Renwick, then the member for Riverdale, and myself were on the committee hearing evidence, as were a number of members who still sit in this House.

A young gay male came in to make a presentation one day and caught everybody's attention by doing the following. He said: "Mr. Chairman, members of the committee, I am blue-eyed. About one person out of every 10 has blue eyes. How many members of the committee have blue eyes?" One or two members put up their hands. I cannot remember who at this point. He said: "I am also left-handed. Only about one in 10 of our population is left-handed. How many of you are left-handed?" A couple of members showed they were left-handed. He then said: "I am gay. About one of 10 people is gay and more than one out of 10 people on this committee are gay." One honourable member was heard to say, "That is not me." And neither was it. But there were other members on the committee who perhaps did not feel quite so comfortable about that statement.

I raise that to talk about the reaction of the member. I think that has been the reaction of many people in the community who believe that homosexuality is somehow infectious and that heterosexuals might somehow be undermined, especially the young vulnerable youth in our population, by recognizing protection for employment and housing rights of people of this inclination. It is not the case. We do not have to be concerned about that. We do not have to be worried about loss of our sexual identity. I hope the members of the House understand that.

Let me start my comments by praising the speeches yesterday—I am glad the Attorney General is arriving—by the Attorney General yesterday and by our critic the member for Ottawa Centre (Ms. Gigantes). They were two of the most thoughtful statements on this that I have heard in some time. I am glad the member for Ottawa Centre has been able to arrive at this point as well.

I thought what they did so well was to get away from the kind of discussion we have heard from other members about reactions in letters, talking

about how this will disrupt Big Brothers and various churches and organizations and how it will lead to adoption of children by gay people. It dealt with what the legislation is about and what specifically these amendments are about. If the members would concentrate on what this legislation says, on what the amendments and the present act together indicate, they would have much less concern and fear as to what this is all about.

Both those members did this House honour when they made their speeches. I think those members who only quoted from letters that had a total misunderstanding of what this legislation is about and did not say they tried to correct that misapprehension by their voters have been irresponsible in this House.

I will not be changing people's minds today. I am clear about that, no matter how many people are gathered around their television sets in the offices watching us. People's minds seem to be fairly set. As the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) was saying, the vote seems to be fairly close at this point.

However, I do want to talk a bit about the facts because I have a feeling we are going to have more quotations from letters ad infinitum, without addressing the facts of what is involved in this bill. First, the point made by the Attorney General is very important. It is not against the law of Canada to be homosexual and has not been for a long time now. The whole notion that the state has no right in the privacy of our bedrooms is something that has been established for quite some time. Certain kinds of behaviour are unacceptable and are governed by our legal code, which has supremacy over human rights codes. It is important to reaffirm this time and time again for those people who feel that by changing our Human Rights Code we are somehow going to affect the legal status of homosexuality in our country and province.

15:40

I think the large majority of people in this country agree that it should not be a crime to have a sexual orientation that is different from heterosexuality. If we were all honest in this House about our sexuality, we would agree that we do not know what the sexuality is of the person in the seat next to us. We probably do not want to know the details of his sexual preference or his enjoyment of sexuality. We probably would not want members of the House to know the details of our own inclinations, of what we think are the parameters of acceptable sexuality in today's society.

That is what the passage of that law was all about in the 1960s. It was to guarantee us as adults all the rights and privileges to express ourselves sexually in the privacy of our homes, as we chose. The amendments to the Human Rights Code have to do only with whether or not there should be discrimination against people who are homosexuals in terms of their employment and their housing, etc.

Even with the definition, we have clause 23(a) of the Human Rights Code, which should be a great source of comfort to all those people who are concerned about any abuse of what this could do and what this could mean. Although the member for Ottawa Centre read this into the record, I want to do it again. I do not think many members of the House were honest with their constituents when they called about what protections are already in this act, about all the forms of discrimination which are prohibited under the section we are now amending in Ontario, whether it be on the basis of sex, race, creed, etc.

Section 23 states that these rights are "not infringed where,

"(a) a religious, philanthropic, educational, fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by their race, ancestry, place of origin, colour, ethnic origin, creed, sex, age, marital status or handicap employs only, or gives preference in employment to, persons similarly identified if the qualification is a reasonable and bona fide qualification because of the nature of the employment."

That is the protection for Big Brothers. That is the protection for the hiring of people within church organizations which may be fundamentally opposed to the acceptability of an expression of this sexual orientation in our society. It is clear that it is there as a protection. As the member for Ottawa Centre has said, for groups such as Boy Scouts and Big Brothers that use a lot of volunteers, this act does not apply to volunteers. The capacity to discriminate, on whatever grounds one wants, in choosing volunteers is out there and available to any group in society at this point. This will not change that. This will not allow the undermining of the morals of Boy Scout troops today any more than it did yesterday.

That brings us to the question about what the law is. This has nothing to do with the acceptance of paedophilia, bestiality or any other kind of act prohibited by our Criminal Code. That remains prohibited. That remains a charge for which we will expect our law officers and courts to pursue

the perpetrator, because that is the law of the nation. This will not change that. Tomorrow morning, if we pass this and it becomes law, having got the words "sexual orientation" added to these sections, we will not have increased or decreased the protection against paedophilia one iota in this province. That protection exists under the Criminal Code of Canada.

What we are talking about is whether people of a different sexual orientation from heterosexual should be discriminated against in employment. Should it be grounds for firing somebody? I ask members of this House to think very seriously about that and about the people they know who are gay. I doubt there are many members of this House who do not have friends and associates who have come out of the closet to one degree or another over the past number of years. I count a lot of my friends among people who have gone through that tough experience. I know there are people who have been speaking in this debate who have friends and relatives in that position, well-respected members of our community making great contributions to our society, who at this point in our system can be discriminated against and can be fired if somebody chooses to complain and use the reason of their homosexuality against them.

I ask this because it is the fundamental question for members here. Do members think their jobs as members of the Legislature could be filled by homosexuals? The answer surely has to be yes, and that these positions have been filled by homosexuals, perhaps not in one member's seat but in others, by many people over the generations, who have served their country well.

If a member believes that and that perhaps caucus mates of his or hers are good contributors to the process in Ontario, he or she cannot possibly vote against this series of amendments, because that is the kind of protection we are giving. We are not undermining organizations that have to be as careful as possible about screening their employees for various reasons that are important to them in terms of their mandates. We are talking about the general right to employment and the general right to housing.

I will not go into the other protections in housing. The member for Ottawa Centre has already done that in terms of homes, parts of which are being let out, and the total control in terms of discrimination which exists for the owners of those homes. I will say only that it is not an issue on which members are going to win votes, and it is true they will get letters and phone calls harassing them.

Speaking as a veteran from this side of things, as someone who has been speaking on this issue since I was elected in 1979, members can survive it. They have to vote for what is right and correct. If they understand the limitations on this, I cannot understand how anyone could vote against it in the House.

In 1981, during that very tough election for some of us, on what we called Black Friday in my committee rooms, a member of an organization called Positive Parents sent around a piece of literature to about 7,000 households in my riding. It had a number of stories about paedophilia, child molestation and politicians' involvement with that. It had my picture in the centre of it, with no explanation of whether these stories were about me or anybody else but with a direct implication I was involved.

He did this because I had spoken out on this issue in 1981. During the leadership campaign for the New Democratic Party in which I was involved, he even sent leaflets to all the delegates in the hotel to let them know the same kind of thing, that I was in favour of child molestation because of my position on the inclusion of sexual orientation.

I survived that, and the members will survive that. It is not something that will destroy their political careers. They do not have to be afraid of that. Their responsibility as legislators is to look at these sections of the act, to see what they mean and what the controls on them are and to decide whether they are just. I believe any member who thinks about these things seriously and looks at them in legislative terms will understand that he or she has no alternative in logic but to support these amendments. I encourage all members to do so.

15:50

Mr. Baetz: I am pleased to speak to this issue of sexual orientation in section 18 of Bill 7. In doing so, for the sake of brevity, I will address only one aspect of the issue, that of the political process or political decision-making in our parliamentary system of representative democracy.

I know much of what I will be saying here is old hat to most of us, but in situations like this it may behoove us to reflect, however briefly, on the democratic process and how decisions are made in a representative democracy. Within this context, I want first to underline the word "representative." All 125 of us are here as duly elected representatives of our constituents, and it is our constituents, the people of Ontario, who are our ultimate bosses and the chief source of

our authority. As the elected representative of Ottawa West, I am aware of the restraints and restrictions placed upon me.

For example, I cannot always march in lockstep with the wishes of every sector of the population in Ottawa West. There may be a whole range of views on many issues, some totally incompatible with others. In such cases, I must be selective and exercise my best judgement in making a choice of which group to represent. My constituents expect me to do that and to do it without compromising my role as their elected representative at Queen's Park.

There will also be rare occasions when in the best general interests of the people of Ontario, I will follow my own sense of judgement, even when I know it is contrary to the wishes of the majority in Ottawa West. However, let me stress immediately that I believe this should be a rare exception indeed, because I have a very strong conviction about the collective wisdom of the majority of our population.

All too often I sense among elected representatives, especially when we deal with an emotion-laden issue such as sexual orientation, a feeling of benign paternalism or enlightened maternalism. It is an attitude that says we should protect the people from themselves, from their own follies, bigotries and biases. If ever in history that was a valid point of view, it is certainly much less so today. The electorate today is more literate, far better educated and far more informed than ever before in history. More than ever, we ignore at our peril the collective wisdom of the people.

Finally, I believe even though minority rights must be respected and enshrined in our laws, the rule of the majority remains the cornerstone of our democracy.

It is with this background that I have approached the matter of sexual orientation that is before us in Bill 7. There is no doubt in my mind that the majority of the people in Ottawa West who have given the subject any thought at all and who have contacted me have made it clear that they do not want to have sexual orientation included in Bill 7. I am convinced they do not simply represent one or two vocal and shrill special-interest groups or bigots who are skilled in the art of political advocacy. Rather, I am convinced they represent a very substantial cross-section of the population of Ottawa West whose opinions and value system I, as their elected representative, respect.

This fact alone is and must be of enormous significance to me when I stand here and claim to serve the people of Ottawa West as their

representative at Queen's Park. I realize much of the concern and fear expressed by opponents of the amendment is a fear of the unknown, a fear of serious implications that could result from including sexual orientation in Bill 7. This fear of the unknown is heightened because it threatens basic human values, mores, religious beliefs and beliefs of what family life should be and the social wellbeing of their children. Friends, these are not peripheral issues. They impinge upon things that are considered to be of paramount importance to individuals and families. The fear among citizens of the unknown implications of this amendment, I believe, has been exacerbated because there has been far too little meaningful public discussion and examination of this issue.

As we know, the sexual orientation amendment was a private member's tag-on to the draft legislation. One could argue the pros and cons ad infinitum of whether these perceptions and fears are well founded or are only imaginary, but the fact remains that a very large, thoughtful segment of the population of Ontario is opposed to this amendment, certainly at this time, and as an elected representative I have to take that position very seriously.

My only continuing concern would be whether minority rights would be seriously infringed upon if this amendment were defeated and the civil, legal and human rights of those individuals who voluntarily chose the lifestyle of the gay community were violated. That is a concern for me. However, I do not believe they are violated. Surely if those individual rights were being violated, the framers of our Canadian Charter of Rights and Freedoms would have clearly, explicitly, immediately and without equivocation included the necessary protective measures in the charter. But they deliberately, and not by some fluke or oversight, left these out, preferring to have the courts deal with this matter. In view of this, and keeping in mind that the essential purpose of Bill 7 was to make Ontario's legislation consistent with federal law and charter, it is clearly premature to include the sexual orientation amendment in this bill.

I am sure the Attorney General will agree that good laws build strong and integrated societies. Good laws enhance the spirit of interdependence of all groups. Good laws enhance the spirit of tolerance within a society, including the lifestyles of groups that do not have the same social and philosophical values as does the majority.

However, I believe that ill-conceived, hastily and arbitrarily introduced laws, forced upon an anxious, threatened and deeply concerned major-

ity, provide the exact opposite results as good laws. Instead of integrating society, these hasty measures disintegrate society. Instead of building a spirit of community, they divide and generate a spirit of bitter divisiveness. Indeed, the supreme irony is that these laws, hastily introduced, could very easily isolate and adversely affect the very minority groups they were intended to protect. That is exactly what I fear this amendment to Bill 7 will do, and it is why I am strongly opposed to and will be voting against this amendment.

I know the Premier (Mr. Peterson) and the Attorney General, supported by their friends in the accord, are determined that this amendment will carry in spite of widespread public opposition to it. They might feel their determination is based on what I described earlier as a sort of benign paternalism. In fact, I feel it is built on a spirit of intellectual arrogance, a feeling of contempt for the people. It is a conviction that the leaders, and they alone, know what is best for the people. So much for open government, a government that the Premier likes to boast is always ready to listen.

My appeal to the government and to others who are ready to support this amendment is that we not support it now, and I ask that they do so in the best interests of the majority and of the gay community.

16:00

Mr. Runciman: I want to take a few minutes to outline my concerns regarding the government's efforts to sneak in sexual orientation legislation without any public consultation.

In 1981, the Ontario Human Rights Code was amended extensively, and at that time there was lobbying for a sexual orientation provision in the code. That effort was overwhelmingly rejected after more than 150 submissions were made in a public forum. Now, five years later, not one public submission has been accepted.

I suggest that all members should be concerned about the undemocratic way this significant issue has been dealt with. It is especially ironic, as my colleague was saying, since we are dealing with a government that purports to be open and consultative but in reality will use any back-door method available to it to achieve its ends.

The Attorney General has stressed how important this amendment is, yet he is prohibiting those opposed to it from having their say. It is shoddy stuff, and it is going to catch up with him. What about the Premier? Why does he not live up to his commitment to operate a more open,

no-walls government, by inviting public debate to address the proposed legislation?

This amendment is controversial and sensitive. The lack of public input has justifiably raised a great many concerns among a variety of individuals and groups in Ontario society. I want to review a few of those concerns.

Most important, this bill lacks a clear definition of just what is meant by sexual orientation. Does that mean the province at some point will be recognizing homosexual marriages as legal unions? Will this legislation indirectly result in homosexual couples having the right to adopt children? Those are two serious questions that must be answered.

In my view, the amendment in its present form suggests that we disregard our traditional family values. The family unit, as we know it, faces jeopardy should this become law. The amendment lacks clear definition of what is meant by sexual orientation. Does the legislation protect the rights of sexual orientations other than heterosexuality and homosexuality? These are questions that cannot go unanswered.

We have had some reference by the Attorney General to other members of the third party, who have assured us those kinds of things are not going to occur. However, the Attorney General was putting some matters on the record yesterday in quoting from publications, and I think it is only fair that some of us do something comparable on this side of the House.

We all received a little publication called *Are Gay Rights Right?* from the Free Presbyterian Church. I was not aware of the Free Presbyterian Church. I am a Presbyterian, but I had not heard of that church. Apparently, it is a very small group. However, I recommend its publication to the Attorney General. It makes for good reading. They talk about some of the concerns he was trying to address yesterday, but they look at them from the other side of the fence in some of the jurisdictions that have had gay rights legislation on their books.

I would like to read a bit of that into the record. They are talking about Minnesota, where a gentleman presented himself to the Big Brothers organization. We have heard many references to Big Brothers, which is an organization that attempts to introduce fatherless boys to men who would make exemplary role models for them. Given the increasing number of single-parent families, Big Brothers organizations throughout the country have experienced an expanding list of mothers who request Big Brothers as temporary fathers for fatherless boys; men to take their sons

fishing, camping, hiking and to outdoor recreational activities that the mother cannot provide.

"This applicant was eager to become a Big Brother. While reviewing his résumé during the interview, the Big Brothers representative noticed several items that suggested homosexual affiliations. He asked the applicant whether he was a homosexual, and the man admitted he was. Despite this revelation, the interview was not terminated.

"The interviewer mentioned that Big Brothers had a policy of revealing all facts they knew about potential Big Brothers to the mothers of their clients. Clients had the last word on the suitability of any applicant. If any of the facts were worrisome to a mother, she could decide not to have the man as a Big Brother. If none of the facts were objectionable, she could accept the proposed Big Brother for her son. It would work the same way with this revelation, the interviewer pointed out. If the mother had no objections to his homosexuality, he would be a Big Brother. It was her right either way.

"You might think that is a liberal policy, but it was not enough for the man who wanted to be a Big Brother. He immediately sued under the Minneapolis gay rights ordinance, alleging he had been discriminated against as a homosexual. The mere fact that his homosexuality was made known to the mother, he argued, would likely lead to his disqualification as a Big Brother. He was thus being discriminated against for this affectional preference.

"Big Brothers argued that there was nothing discriminatory about this policy. It made no comments, negative or positive about him. Its representative simply revealed all the facts, just as he would with other protected classes in the human rights law—race, colour, age, religion, sex, marital status and the like—and the decision was left to the mother.

"Despite the fair-sounding rationale of Big Brothers, the human rights officer found Big Brothers guilty of discrimination under the ordinance. He imposed costs on the organization of more than \$6,000 and required Big Brothers to accept the homosexual as part of the organization without disclosing his homosexual preference to mothers of the sons who might go off on weekend outings with him."

Here is another example from approximately the same time this took place in 1977:

"Father Buchanan, a Roman Catholic priest in St. Paul, was interviewing candidates for a position at Holy Childhood School. The position was music teacher for the eighth grade. A

candidate listed past school employment in music and on the face of his résumé seemed qualified. The priest's suspicions were raised, however, when the man insisted he wanted to teach boys. Further research revealed that the man was a homosexual. The decision seemed easy for the priest. His religious convictions and prudence dictated that he not permit a homosexual on the faculty.

"Again, the candidate sued, this time under the St. Paul gay rights ordinance, which was identical to the one in Minneapolis. The human rights agency made a preliminary determination of discrimination, and the file was turned over to the city attorney for prosecution with possible sanctions, including a 90-day jail sentence and a \$300 fine. Ultimately, the St. Paul voters overwhelmingly repealed the gay rights ordinance.

"The two cases above reflect a harsh reality about legal solutions to political problems. They are always universally coercive. They may start innocently with theoretical discussions of liberty and equality and end, as in the case of the French Revolution, with the guillotine. The principle put into practice leads to an inevitable development of case-by-case resolutions that ends with a priest behind bars or a charitable organization wondering whether it ought to close its doors.

"This is not to say that no laws should exist. Some issues are so important to the social and political fabric of the country that society tolerates the accompanying coercion. Society is willing to coerce people into keeping their fists off other people's noses and their fingers off other people's wallets. Before society exercises its coercive power to override bona fide religious convictions and historic rights such as the right of a parent to exercise discretion in overseeing the moral character of those who come into contact with his or her child, there had better be substantial justification."

Unlike the Attorney General, who quoted Mario Cuomo—and when you have to quote Mario Cuomo as justification for your position, you are in a lot of trouble—this book quotes Abraham Lincoln, who is a much more respected figure than Mario Cuomo can ever hope to be: "What I call liberty is allowing people the maximum freedom in the things they own and the things they do, as long as they do not interfere with the rights of others to do the same."

I will quote another section of this: "Are gay rights laws desirable? Even if such laws were arguably needed from a homosexual standpoint, it would still be undesirable for society as a

whole, for a number of reasons." I will give only one or two of those reasons.

16:10

"They are inappropriate additions to human rights laws," and that is appropriate to what we are discussing today. "Proponents of gay rights laws rely heavily on an analogy to other human rights legislation." We have heard a lot of that in the past day and a half. "If human rights laws have provided protection to other minorities, why not add one more group to those protected from discrimination? Hitching their wagon to the broadly based support that has been given to civil rights laws, gay rights advocates have made surprising progress in the past decade. Although popular and politically understandable, the human rights analogy cannot withstand careful analysis.

"Adding homosexual behaviour to a list of classes that includes racial and religious minorities makes no sense. It expands the reach of such laws from their initial limits, protecting a particular unchangeable and morally neutral status like race to include an entire galaxy of, shall we say different behaviour.

"Such laws have always required a sensitive balancing of social interest. On the one hand, there is a substantial social benefit in continuing the historic deference given to human choices and discretion. The freedom of association valued by all includes the corollary right to nonassociation. On the other hand, there is an equally strong social benefit in discouraging arbitrary decisions that cause widespread injury to innocent parties.

"Human rights laws have struck a delicate balance that accommodates both interests. They give substantial relief to those who have been the victims of prejudice, but they do so without limiting the right of anyone to make decisions based on reasonable criteria. By forbidding arbitrary or irrational decisions that cause substantial harm to innocent parties, they preserve intact discretionary decision-making based on reason and common sense.

"The tenuous balance represented by these laws is reflected in the few and carefully chosen classes protected by them. Relief has been given only in extraordinary circumstances. In short, gay rights laws meet none of the traditional requirements for human rights legislation for protection.

"Homosexuals have never been able to demonstrate a convincing pattern of discrimination that causes them substantial socioeconomic injury. They are a class of people linked together

through behaviour, not unchangeable status. Their actions are not morally neutral. Reasonable people, for reasons of deep-seated moral conviction, of health, of psychological stability or of common sense, may wish to take a person's homosexual lifestyle into account in their decision-making, all without the slightest tinge of bigotry or irrationality."

My final reference to this publication is that society has every right to prefer heterosexual behaviour as a matter of social policy.

"Society need not be ashamed of promoting the family. It can legitimately encourage people to organize themselves into families in order to get special social privileges. Strong families are the foundation of a strong society. The family is the microcosm of society. Through providing essential services to society such as procreation, education, welfare and training, it renders incalculable benefits that society can reasonably seek to reward.

"Homosexuality is essentially antifamily. It encourages promiscuous sexuality, a self-centred morality and socially irresponsible behaviour that exacts huge costs from society. The law has every right to discourage people from entering into paths that are demonstratively destructive, physically and psychologically, first to the homosexuals and to society itself."

We on this side of the House have to wonder how much support this concept has in Ontario. I know from my own mail, and it is so for the members on this side of the House and I suspect on the other side of the House, there is very little support among the people of the province. The government and its New Democratic Party allies are merely catering to a very vociferous minority opinion on this issue. Only when we hear from a broad spectrum of opinion in this province can we draw conclusions.

Some of the points I have made may sound exaggerated, but I believe they are valid and understandable. Given the lack of public debate on this issue, I suspect these questions and concerns may be only the beginning from a legal point of view if this legislation goes through.

Personally, I see no need for this legislation. It is the product of trendy, social egalitarianism. Instead of choosing the true democratic process to address this sensitive issue, the government and its buddies to the left have chosen to address the concerns of a minority.

Many of the groups and organizations supporting this amendment have as their goal to reshape what we are in this country into something we are not. They repudiate virtually all of the values out

of which this country has emerged. They debunk our religion and undermine our families. I urge the government to take this issue to the public, discover the true opinions of the province, the people we represent, and then decide the proper direction to take.

Yesterday the Attorney General said that when this is behind us we would all have to look back and be proud of the decisions we made. I know I am going to be proud of the decision I make in voting against this amendment. I remind the members on the government side of the House that there is going to be a division on this issue; they are going to have to stand up and be counted and they, as well as their constituents, are going to have to look back at how they voted on this issue.

I urge the members on the other side of the House, as well as all members of this House, when dealing with this socially significant amendment, to reflect upon whence we come, who we are and what we believe.

Mr. Henderson: I want to say a few brief words to this Legislature about issues raised by this bill and by the amendment posed by the member for Ottawa Centre prohibiting discrimination against men and women who are homosexual.

At the outset, I might say that I gave, as many of us have given I am discovering, a great deal of thought and consideration to and did a great deal of soul searching about this amendment and this bill. I very seriously considered voting against it for two reasons. First, I do believe that the family, by which I mean the traditional heterosexual family, is the building block of a healthy community.

I believe this as a legislator, and before I became a legislator I believed it as a psychiatrist and as an amateur social-political philosopher. I do lament the loss of the extended family as a major ingredient of social and family life, and I lament as well the more recent attenuation of the nuclear family and the effects of that attenuation, I believe, on children's development and mental health.

I have therefore been very attentive to arguments I have heard to the effect that this bill will weaken the family by condoning alternatives to healthy heterosexual union. I have been very sensitive to the cogent arguments—put forward, incidentally, by some of the members opposite—of thoughtful churchmen and others, and also by some of our own members, who, motivated by a compelling sense of moral rightness, say that this bill is an assault on the values and truths that have

underpinned our social order for centuries, if not for millenia. I am sensitive to those considerations and I find them in many ways compelling.

However, I have not entirely been persuaded that this is indeed what will occur. It does seem that a distinction can be made between removing discrimination against particular individuals, on the one hand, and condoning their lifestyle, on the other hand, whatever condoning someone else's lifestyle might prove to mean anyway. Although the matter can be debated, I am not convinced that condoning homosexuality is the effect of this amendment or, at any rate, that it is the principal or most important effect.

There has been a long and sometimes vitriolic debate within the circles of psychiatry and psychoanalysis, my dual professions in a former incarnation, about whether homosexuality is or is not an illness. Currently, the pendulum has swung in the direction of proclaiming homosexuality to be not an illness but rather a lifestyle choice. Accordingly, the so-called diagnosis of homosexuality was removed from the classification of psychiatric disorders of the American Psychiatric Association a few years ago as a result, in part, of the lobbying efforts of the gay caucus of the APA.

16:20

Psychiatric practice—diagnostic practice in Canada, as not infrequently proves to be the case—has followed generally along the lines of the American experience. In January of this year, the Canadian Psychiatric Association passed a resolution in favour of the kind of amendment forbidding discrimination on the grounds of sexual orientation that has been put forward by the member for Ottawa Centre.

That is not surprising, because psychiatrists and psychoanalysts in Canada, from the days of Dr. Brock Chisholm and before, have taken a keen interest in matters of public mental health policy and personal liberty and freedom. The Canadian Psychiatric Association ably reflected that dedication in its resolution.

Traditionally, of course, homosexuality was considered an illness. Its ideology was felt to have to do with an absent or ineffective or brutal and domineering father, on the one hand, and a cold or infantilizing or exploitative mother, on the other. In clinical practice, one indeed often sees such family constellations in the backgrounds of homosexual people. Yet there are claimed to be exceptions, and there is a viewpoint that the homosexual lifestyle choice is as much a matter of constitutional endowment

and biological disposition as a matter of developmental experience.

My own view on those questions is to favour a middle ground on both counts. Although I believe there is a constitutional predisposition at work—and after all, none of us can escape our constitutional predispositions; we are stuck with them—I believe family and life experience along the lines of the classical formulation I just mentioned are important contributory causes. Although I do not believe that homosexuality ought to be considered an illness, I do not quite feel I can consider it an entirely healthy lifestyle choice.

For one thing, it is often not a choice at all but something an individual confronts as an inevitable facet of his own mental biological makeup, sometimes in a very agonizing fashion indeed, sometimes after years of vigorous and painful denial.

Be all that as it may—whether illness or lifestyle choice or something in between—it hardly seems that homosexual people deserve to be discriminated against. In other words, I believe, of course, that they do not. For that matter, no people deserve to be discriminated against, and the only reason for singling out homosexual people for special mention is that public attitudes are often very strong and very negative and therefore discrimination is rendered rather likely. We all know that and have heard of many examples.

I said there were two reasons I almost voted against this bill. The second has to do with what some of my colleagues have called the rules of party solidarity of the British parliamentary tradition. This is a government bill, so the argument goes, so the government members ought to support it.

Mr. Runciman: We have heard that one before.

Mr. Henderson: I have not seen those rules. The member anticipates my next remarks, as a matter of fact. I do not believe those rules exist.

Mr. D. S. Cooke: Talk to your whip.

Mr. Henderson: To be sure, there is a tradition, albeit an uneven and oft-departed-from tradition of relative party solidarity, but traditions are not rules. Questioning and, if necessary, challenging traditions are part of what liberalism and representative democracy are all about.

I was tempted to vote against this amendment to reaffirm the right of individual legislators to speak their minds and exercise their vote as they

see fit, according to their conscience, on matters of individual conviction.

Mr. D. S. Cooke: You have done that once.

Mr. Henderson: I did not, as a matter of fact. No, I did not vote against Bill 94 in this Legislature. I voted against it in committee but not in the Legislature.

Mr. McClellan: You chickened out.

Mr. D. S. Cooke: It was still enough to keep you out of the cabinet.

Mr. Henderson: I was tempted on both counts, I might say, but did not. Yet to vote against this amendment, which I really am rather inclined to favour—that is, the amendment—just to prove the point of individual prerogative, would have seemed a wasted voting franchise, just as does adherence to groupthink.

I content myself instead with complimenting and congratulating the member for Erie and the member for Grey for their courage and for their vigorous defence of principles they deem to be important. I am critical of those disposed to criticize those members for having the courage of their convictions and for speaking out on a matter of firm principle.

Ms. E. J. Smith: Are you talking about me again?

Mr. Henderson: Never.

As one of the members opposite observed, I have been in that situation. I know well how it feels and I remain no more supportive of taboos on free expression than I am of taboos on sexual freedom and taboos on homosexuality. Why would anyone who can support this amendment—that is, who does not like taboos on sexual freedom—not also support the right of individuals to speak and vote as they see fit? To be critical of any member of this House for speaking against this amendment is, in that sense for me, an impossible and self-contradictory position.

Finally, in my profession as a psychoanalyst and psychotherapist, I have known and worked with men and women who were homosexuals both as colleagues, I might say, and as patients and who, by any standard of good collegueship and good practice that I knew of, practised very competent, if not excellent, psychotherapy.

The question of impulse control is a separate matter. Heterosexual individuals can involve themselves in paedophilia—that is, sexual activity with children—the same as homosexual men and women can. Fortunately, in both groups it is very rare. People who have invoked comparisons with bestiality are simply uttering an irrelevance, in my view.

A male child psychotherapist who happens to be homosexual is most unlikely to embark on sexual activity with little boys, just as a male child psychotherapist who happens to be heterosexual is most unlikely to embark on sexual activity with little girls. Impulse control and sexual orientation are really quite different matters.

In conclusion, it seems to me that homosexual men and women, whether troubled or content, whether ill or well, whether evil or righteous according to some moral standard, deserve protection from discrimination, and increased militancy among gay rights groups, which some have feared as a result of this amendment, is as likely to be attenuated by the amendment as fostered by it.

For all these reasons, though sometimes troubled by this amendment and sometimes disposed to counsel its defeat, I will vote in favour of Bill 7 and its amendment.

Mr. Hennessy: I am very pleased to see that the Attorney General is in the House at present, because his comments yesterday regarding the Irish people, and also those of the Jewish faith, left a bad taste for the people of the riding of Fort William. I have had a few calls. As a person of Irish descent, I feel the remarks by the Attorney General about drinking problems were away out of line. If he had made remarks of that nature—

Hon. Mr. Scott: I am Irish myself. What can I do?

Mr. Hennessy: I do not know whether he counts. I am not sure he is an Irishman.

Hon. Mr. Scott: And I drink.

Mr. Hennessy: I can say I am not proud of his stature then if he, as an Irish person, made that comment; I do not think people who are Irish think much of him.

The Attorney General mentioned that the declaration of the Ontario Conference of Catholic Bishops at the beginning of 1979 more or less supported what he was discussing, but he did not mention its stand of 1986. He forgot to mention the stand of the Holy Father, Pope John Paul II, along with the recent stand in 1986 of the council of Roman Catholic bishops, which opposed the amendment in section 18.

16:30

Many people have spoken to me and written to me opposing this amendment. In my 10 years as a member, I have not had as many people calling me and writing me letters concerning any single issue. These people are really concerned about the proposed amendments in section 18.

I will read some of the letters I have received. Here is one:

"I am writing to you about Bill 7 regarding sexual orientation, section 18, numbers 1 to 5. This section seems to give respectability to homosexual behaviour or lifestyle and to give homosexual unions the status of families in our society. I certainly hope and pray to God that this will be well fought against. Thank you for all the good you are trying to do for all of us."

Another one reads:

"Although I support basic human rights for all and feel compassion for the homosexual person, I request that the passing of Bill 7, now before the Ontario Legislature, be defeated."

Another reads:

"It is with concern and a personal duty that I write to you concerning Bill 7. Much in the bill is good and acceptable. However, section 18, numbers 1 to 5, to amend the Human Rights Code of Ontario, prohibiting discrimination on the grounds of a person's sexual orientation, is unacceptable. Although I feel compassion towards homosexuals, I feel their lifestyle is contrary to Christian morality, and any law that leaves the door open to such a lifestyle will cause great harm to society. The words 'sexual orientation' in Bill 7 in the present form, if passed, will promote and recognize homosexual unions. This is totally unacceptable. The bill in the present form will erode the status of normal families."

Another reads:

"This is in response to the statement of the Ontario Conference of Catholic Bishops in regard to Bill 7, section 18, numbers 1 to 5. This letter is to register my dissatisfaction. I do not find it acceptable for the government to amend legislation to give homosexual unions the status of families. This would seriously restrict the freedom of churches, governments and societies, businesses and schools and sets criteria of conduct for their employees. Thank you for listening to my views on this matter."

There are many more. I have one from the Queensway Cathedral:

"We strongly urge your opposition to the above legislation. One need not only look into history to see the consequences to other societies which endorsed homosexuality. Thank you for reviewing our concerns. We look forward to a reply."

Another one reads:

"I understand the Legislature is resuming considering Bill 7, a law designed to bring the statutes of Ontario into line with the Charter of

Rights and Freedoms. I am particularly interested in the proposed amendment, passed in committee, which would prohibit discrimination based on sexual orientation. I feel that to pass Bill 7 would be a great injustice."

The Big Brothers of Canada have also written me a letter, and no doubt they have written to other members. I have received hundreds of letters in regard to the people who are opposed to the passing of section 18 of this bill. Only one other person has written to me, and that was an anonymous letter.

The majority of people in the riding of Fort William and the city of Thunder Bay are greatly opposed to it. I have met many people at various functions and on the streets in different areas, and they have said to me they are a little uptight that the Liberal government, along with the New Democratic Party, would try to bring in a bill such as this, when it was originated in a committee, without any public consultation or discussion with other people who perhaps should have had some input.

Because of the NDP amendment to the Liberal Bill 7, a bill drafted to update the Ontario Human Rights Code, I will be voting against the legislation. The amendment claims to protect homosexuality by prohibiting discrimination on the basis of sexual orientation. Are the rights of the homosexuals protected? Currently, they have the same rights as other citizens. They enjoy the freedom of assembly and of speech. They can attend any church. Homosexuals can own property, enforce contracts and go about their day-to-day business like anyone else, without limit or restriction. Homosexuals may work where they wish; they cannot be fired for a sexual preference.

Under Ontario law, you can disagree with a person's sexual preference but you cannot deny them their basic rights. To include sexual orientation in the Human Rights Code will radically change this balance of rights. In fact, the NDP amendment will mean that in addition to all the rights our citizens enjoy, homosexuals will receive special rights. These special rights will be recognized by law and will effectively enshrine the lifestyle and behaviour of homosexuals. No other group's lifestyle and behaviour is protected by law. The Charter of Rights protects us from discrimination on the basis of race, national or ethnic origin, sex, religion, age, etc. It prohibits discrimination on the basis of sex or gender, not sexual orientation or preferences.

The Ontario Conference of Catholic Bishops is opposing these amendments on the grounds that

homosexual behaviour or lifestyle is against Christian morality. They believe that Bill 7, with the NDP amendment, will cause great harm. The bishops say the NDP amendment will promote the recognition of homosexual couples as married and will seriously restrict the ability of institutions such as churches, government and school boards to set criteria for the conduct of their employees.

Refusing to pass laws that give special rights to homosexuals is not discrimination. I will vote against the amendment to Bill 7 because I do not believe homosexual lifestyle or behaviour should be enshrined in our Human Rights Code. The generally held opinion among MPPs I know and the public is that homosexuals should have no more and no less rights than any other person. Lawyers will argue that enshrining their lifestyle will only open the door to other social groups to demand similar protection. This will lead to an erosion of the fabric of our society.

As far as I am concerned, Bill 7, especially with section 18, is a bad law, poorly drafted by the Liberal Party and supported by the New Democratic Party, its partner, and not fully thought through. That is why, when this bill comes to a vote, I will not support it.

Mr. Gillies: On a point of order, Mr. Chairman: The recent comments by members leave the impression, I am sure inadvertently, that the position of the Progressive Conservative Party is to vote against the amendment. I want to remind the committee that the position of our party is to have a free vote on the amendment. Some of us will be supporting it.

The Acting Chairman (Mr. Callahan): That is hardly a point of order.

Mr. Gillies: It is a point of interest.

The Acting Chairman: A point of view perhaps.

Mr. Dean: I appreciate the opportunity to speak on consideration of this legislation in committee of the whole House.

Bill 7, introduced by the Attorney General, does amend many Ontario statutes to conform with the Canadian Charter of Rights and Freedoms. Many of those amendments are supportable and can be considered housekeeping changes. Section 18, however, which we are considering today, was introduced in the standing committee on administration of justice by a member of the NDP and most definitely is not a housekeeping change to our provincial act. More important, it does not bring our statutes into conformity with the Charter of Rights but

introduces an issue that is not a part of the charter.

In adding sexual orientation as a prohibited ground for discrimination, this section goes beyond what I and the residents of my constituency can accept. I have had a great number of telephone calls and letters from and personal conversations with people in all parts of the riding of Wentworth, including many of our fine young people, who are anxious, upset and vehemently opposed to this amendment. As well, many church groups and other community organizations working with youth are greatly concerned about the message that would be sent out to our young people if this section were to be approved. Not a single resident of my riding has asked me to support it.

As the representative of my people, I do not support this amendment. The people of Glanbrook, Hamilton and Stoney Creek, all portions of my riding, do not support this attempt to tamper with our Judaeo-Christian set of values, and I do not support it personally.

In addition to rejecting the substance of this section of the bill, I object to the process the Liberal government has used. The justice committee dealt with this NDP amendment in the course of routine consideration of the government's bill. The Liberal and NDP members of the committee did not permit open public hearings where citizens could present their views on this important matter.

If the government wants to be fair and allow my constituents and others from across the province to present their legitimate submissions to us, this section should be removed from the present bill and introduced as a separate bill. In this way it would be clear that this amendment is separate and distinct from those other parts of Bill 7 that really do bring many Ontario statutes into conformity with the Canadian Charter of Rights and Freedoms.

16:40

That charter guarantees equal treatment to every Canadian and prohibits discrimination on the basis of race, national or ethnic origin, colour, sex, age or religion in many aspects of our daily life. Nowhere does it refer to sexual orientation. In fact, on January 29, 1981, the special joint committee of Parliament on the Constitution of Canada voted 22 to two to defeat an amendment that would have included sexual orientation in section 15 of the Charter of Rights and Freedoms. It was the clear intention of the special joint committee not to include sexual orientation in the charter.

I deplore the attempt of this government to pass this controversial section of Bill 7 without the widespread consultation that will permit the citizens of my riding of Wentworth and all the citizens of Ontario to express their will concerning it. There are a great many unanswered questions concerning the effect it will have on our society. I ask again that the government postpone further action on this section of the bill until such consultation has taken place.

I cannot support this proposal as it sits, and I ask my colleagues from all parties to join me in voting against it.

Mr. Davis: I rise to enter this most sensitive debate. The inclusion of sexual orientation in the Human Rights Code in Bill 7 is an initiative and an issue that was introduced in this House by the Liberal government. In fact, the Premier is so committed to this initiative that, according to newspaper reports, he is taking an unprecedented step, to my knowledge, in personally soliciting his caucus members to support this initiative.

One can only wonder. If this was such an important aspect of the Liberals' policy with respect to their concern about discrimination, as the Attorney General seemed to indicate yesterday in his remarks, why was this not part of the original bill? Was it an oversight? Unlikely. Was it part of the accord contracted by the New Democratic Party that they would introduce this piece of sensitive legislation after second reading, knowing the Liberals would support it?

This is an action of a Liberal government under a leader who has stated on many occasions throughout this province that, under his leadership, the government of his day would provide an open government; there would be no doors, no barriers, no walls. What do we find when we look in that Alice in Wonderland mystery? We find doors, secrecy and manipulation, especially when the issue is a controversial issue or one of a nature that may inflame public opinion.

What action has this Premier initiated? Have this Attorney General, his cabinet ministers and the back-benchers of the Liberal Party—

Mr. Brandt: On a point of order, Mr. Chairman: I would like to bring the attention of the chair to the fact that at this moment there is not one member of the third party in the House to hear the well-prepared address of my colleague.

The Acting Chairman: That is not a point of order.

Mr. Brandt: It is an insult to the position he has so carefully put together and is presenting to this Legislature that not one member of the New

Democratic Party has deemed it important enough to be in attendance.

I thought the House should know that, particularly because on another matter just the other day with respect to the emergency debate, the Liberals pointed out that we were rather slim in numbers at one point. I agree that this was the case, but I have to add that at no time were we ever in a position where we had absolutely no members in this House. I thought I would mention that.

The Acting Chairman: That is a fine point of view, but not a point of order.

Mr. Brandt: I apologize. I did not realize it was not an appropriate point.

The Acting Chairman: The member for Scarborough Centre.

Mr. Brandt: I am sorry.

Mr. Davis: That is quite all right. They are probably watching it on TV.

Mr. Philip: We were outside praying for the reverend.

Mr. Davis: That is quite all right. I can always use prayers. I do not think there is anybody in society who cannot have someone pray for him when it is not a benefit. I do not mind prayers, even if they are from the New Democratic Party.

After the bill had received second reading, the amendment was introduced. There was no indication to the people of this province that such an initiative was to be introduced and supported by the Liberal government without any public consultation. In fact, when the amendment was introduced, no opportunity was provided or asked for by this Liberal government, by the leader of this province or by the Attorney General, for the public of Ontario to be heard.

This is in the light of the Premier's statement during the debate on Bill 30, in which he accused the previous government of failing to provide an opportunity for public debate on an issue that might dramatically change the values, the perceptions and the feelings of the people of Ontario. Strangely, we now find that this Liberal government short-circuits the democratic process of providing a forum for public debate on this most sensitive issue. I also note with interest that two members of the government have broken ranks with the Premier and with the policy of the Liberal Party.

It is strange that the leaders of some religious communities who challenged the right of 125 members of this Legislature to pass legislation, namely, Bill 30, that affected the social fibre of the province without consultation today are the

same people who are advocating the immediate passage of this piece of legislation without providing that same opportunity to other people in this province, thus denying them the right of expression which is their democratic right. I find that strange indeed.

The process of introduction of this piece of legislation is wrong. There is no opportunity for public input, no opportunity to resolve some of the unanswered questions and yes, I say to the Attorney General, some of the fears.

Why is it that individuals who oppose this amendment are somehow suspect? I refer to such remarks as "a dinosaur mentality." This is a very sensitive issue. People's intrinsic values are being challenged, values they have developed as part of their social and cultural milieu, values that come in part from their religious heritage and background. In a world and a society that proclaim a sense of tolerance, individuals should have the right to freedom of their own expression, especially on this piece of legislation, so they can vote according to their conscience and their value system.

I champion the decision of my leader, the member for St. Andrew-St. Patrick (Mr. Grossman), to allow the members of this caucus to vote according to their conscience and according to the information they have assimilated within their own value system, to make an expression of what they believe is important for them as individuals and for their community. It is my opinion that the members of the gay community already have, in our Constitution and in our Human Rights Code, protections against the discrimination that this piece of legislation is attempting to protect them from.

16:50

Proponents of the bill indicate that this minority group is denied housing. What do I say to the young unwed mother who has a child and finds tremendous difficulty in getting a home because she is unmarried and is a single parent? What do we say to the handicapped, who have tremendous difficulty in finding housing?

Whether the expressed feelings and emotions are real or unreal, the fact remains there is much fear that the value of the family may be threatened. A fear has been expressed by many members of society and leaders of our religious communities. Specifically, I think the Roman Catholic church has expressed great concern.

Mr. Philip: Not all of them.

Mr. Davis: No one ever said "all of them." I assure members that no poll was done in the

average parish to ask how the people would respond to this initiative.

It all lies with the government, because the Attorney General will not allow the people of Ontario the opportunity at least to debate it and through debate perhaps remove many of the fears that are part of the milieu of the society we live in. This government does not seem to be concerned to express its position.

I place great importance on the value of the family and the tradition of family—the normal family. I find it difficult to support this piece of legislation. I do not condone discrimination of any type. In my life, I have always worked to remove discrimination.

I point out to the Premier, the Attorney General, the member for Ottawa Centre, the Liberal Party, my own colleagues, the New Democratic Party and the people of Ontario that intolerance and discrimination are not natural values we are born with, like genes. We do not receive them automatically at birth. These are attitudes, characteristics and behaviours that are taught. They are learned from within a family value system, a cultural system and a religious system.

Young children today are not aware of the differences between the children they play with. Those differences are only highlighted when they are pointed out, and the negative attitudes of discrimination and intolerance are reinforced by a society, by a parent, by a school system and by a church.

The Premier and his Liberal colleagues cannot legislate an end to discrimination through laws, regulations and amendments. Discrimination and intolerance will always continue, even with laws. The end of negative values in society will occur only with an internal change in a value system of a person. Laws cannot do that; only dialogue, discussion, interaction and an assessment and reflection of one's values can change a person.

I believe that is the process to follow. I am unable to support this legislation and its initiative, because it is contrary to all I believe, from values that have developed out of my background, my religious values and my personal values.

Mr. Villeneuve: I rise today for a few moments to participate in this debate. I was a member of the standing committee on administration of justice in early May, and two members of that justice committee who voted against this amendment were from the Progressive Conser-

vative Party. I did not think we would be voting on the amendment to section 18 of Bill 7.

It should not be treated as an amendment. It is a very major piece of legislation, in spite of the fact only two words, “sexual orientation,” are involved. The Canadian Charter of Rights and Freedoms does not mention sexual orientation. It is a choice of lifestyle and a major deviation from what the family traditionally has been across Ontario and across this great country.

I ask the Premier and the Attorney General why they are imposing their own personal moralities and ideas on their caucus. This caucus is participating in a free vote. I emphasize that it will be a free vote. They will recall that in the standing committee on administration of justice there was a free vote. Two members of this party voted in favour of the amendment and two voted against it.

I find it somewhat strange when I read reports in the media, reports that are not wrong but certainly are not right, that say this amendment was supported by all parties. It was supported by certain members of all parties, but it was not carried unanimously. I want to make the Attorney General very aware of this, because he was talking about two out of three, or whatever, a while ago. There were two out of four from the Progressive Conservative Party.

I listened very carefully to the Attorney General's presentation yesterday. He spoke somewhat in parables. We read that in the Bible. I would like to take issue with him on certain statements he made. One was: “Quebec took that step almost a decade ago. Those who are fearful of the consequences of taking the step will want to look very carefully at our sister province.”

Twenty years ago, our sister province had the highest per capita birth rate of anywhere in Canada. Our sister province now has the lowest birth rate. They may find that a big joke. However, that was a statement the Attorney General made yesterday. This is a statement he very carefully omitted. It is a fact. Indeed, his Liberal cousins in Quebec intend to provide some monetary incentives to have Quebec increase its birth rate per capita. That is interesting. I say that just by way of comment.

It is a choice of lifestyle. If we had depended on it to create and propagate the great country we have, it would have been a rather slow process. Again I ask, will the Attorney General free his members and allow a free vote?

I compliment the member for Grey and the member for Erie, who yesterday came out four-square against it and read numerous letters

into the record. I think we all received similar ones, almost word for word. I am not going to read numerous letters as the member for Grey did. However, they expressed my sentiments very much.

I see the member for London South (Ms. E. J. Smith) making some comments and thinking it is something of a joke. I hope it is not that way. I have a letter here from the Most Reverend John M. Sherlock. I believe she knows the most reverend gentleman. I believe there are other members of her caucus who come from the immediate area, such as the member for London Centre (Mr. Peterson) and the member for London North (Mr. Van Horne). I will quote in part—

Ms. E. J. Smith: On a point of privilege, Mr. Speaker: I do not take the matter of the declining birth rate lightly at all. I did what I could in my own good time to contribute to it.

Mr. Villeneuve: Good for her; as I did, and I am proud of it too. I must agree, and I am sure the member agrees, that her good husband had something to do with it, and my good wife certainly had a great deal to do with it as well.

Mr. Callahan: Your wife had something to do with Smith's family? You are in trouble.

Mr. Chairman: Order.

17:00

Mr. Villeneuve: I hope this debate does not degenerate into a laughing matter, because it is not a laughing matter.

I have a letter here from the Most Reverend John M. Sherlock, DD, Bishop of London. It reads in part:

"There are grave practical considerations which need study and consultation in our province before any decision is made regarding the inclusion of sexual orientation as a prohibited ground for discrimination. It can be reasonably anticipated that such a provision would immediately be used as a legal shield for homosexual activities. The Roman Catholic bishops are not alone among religious leaders in fearing that such a provision would render all but impossible the dismissal of teachers or clergy involved in homosexual activities."

The letter does go on, and I suggest to the member for London South, as I do to all other honourable members from the London area, that the Most Reverend John M. Sherlock does have a most interesting letter. I suggest that they read it. I understand the member for London South is also the whip, and it will be a whipped vote. I will see whether this letter has indeed borne fruit.

A bishop from Quebec, the Most Reverend Bernard Hubert, Bishop of Saint-Jean-Longueuil, is president of the Canadian Conference of Catholic Bishops. The Attorney General will note that he also is very concerned about the steps this government intends to take in section 18 of Bill 7 in allowing special rights for homosexual persons. I want to put that on the record, because he has left this assembly with the impression that no one from Quebec is concerned.

The Attorney General also used an example regarding John Fitzgerald Kennedy and the way he spoke. I find it somewhat difficult to compare people of the Catholic faith, or any other faith, in the same context as homosexuality. I hope he was speaking in parables. If he was, then it is understandable; but if he was not, I have a great deal of difficulty in reconciling the comparison.

I have a letter from my own bishop. I will read it in part. It is from the Most Reverend Eugène P. LaRocque, diocese of Alexandria, Cornwall. It reads, in part, as follows:

"Durant notre rencontre des évêques de l'Ontario, au début d'octobre, nous avons considéré le projet de loi 7, surtout en sa section 18, qui parle de l'orientation sexuelle. J'ai inclus le mémoire préparé par les évêques de l'Ontario pour que tu puisses en prendre connaissance.

"Il va sans dire que j'appuie mes confrères évêques en demandant que cette section soit omise du projet de loi omnibus, que l'on permette une discussion bien plus prolongée d'un sujet qui pourrait avoir de grandes conséquences, surtout vis-à-vis le mariage."

Yesterday, the Attorney General, and I quote him, spoke as a Catholic. I have some difficulty in accepting how he can fly in the face of these kinds of suggestions and recommendations from the hierarchy of the Roman Catholic church.

Hon. Mr. Scott: Not all the bishops agree, you know.

Mr. Chairman: Order.

Hon. Mr. Scott: That is an insulting remark.

Mr. Villeneuve: I have here correspondence from the Big Brothers, but I will not read it, because it has been done by a number of previous members and even by one of the Attorney General's colleagues; I believe it was the member for Grey. I also have a letter from a trustee of the Simcoe County Board of Education showing great and grave concern about amendments to section 18 of Bill 7.

I have had probably half a dozen letters from the Ontario Conference of Catholic Bishops, but

I quoted those two initially to assure the members of the Liberal government that there is concern.

I have correspondence from the Wesleyan church of Inkerman, in my riding, of which the Reverend James R. Warrington is pastor. It reads in part:

"As pastor of a local church congregation, we support your opposition to the amendment on sexual orientation to Bill 7. We are opposed to that amendment on the grounds that it does infringe upon family values and would unreasonably restrict the freedom and rights of schools, churches, businesses and self-governing professions. It would be an inappropriate interference with the moral choices and community standards of Canadians. Canadians are traditionally family-oriented, and legislation such as the amendment proposed could seriously damage family values and morals."

There was a debate on this very subject in 1981. We have taken time to look at a few of the Hansards from back then. It is most interesting to see what a great number of the colleagues of the Attorney General who are still here had to say about the enshrining of a particular lifestyle. I will not repeat the comments, but they make for very interesting reading. I suggest that at some time before this debate is concluded, the Attorney General should look at what some of the elected Liberal members had to say in 1981.

In the riding of Stormont, Dundas and Glengarry, I received about 300 letters and/or phone calls; they ran about 60 to one against section 18 of Bill 7. I see my colleague to the north of me, the member for Prescott-Russell (Mr. Poirier). What type of correspondence has he been receiving? He covers a riding very similar to mine, which is adjacent to Quebec. If he has occasion to participate in this debate, I would very much like to hear his statistics on this item.

Mr. Poirier: Much better than yours.

Mr. Villeneuve: Mine are pretty good. If they are any better than mine, I do not know where they are.

I fear that the message that would be sent forth from this type of legislation would be very detrimental and very damaging. As the Attorney General knows, the Canadian Charter of Rights can be changed, and right now it does not address lifestyles in any way, shape or form. There is some fear that a well-organized lobby, once it has seven provinces with more than 50 per cent of the population, could create a situation whereby the Canadian Charter of Rights could be amended to include the very type of legislation we are

discussing in this chamber today. That concerns me.

I would like someone to explain to me, as someone who is not a lawyer, the real, true and eventual implications of what enshrining a particular lifestyle could have on future generations.

A wise old gentleman told me one time, "You know, we are only one generation away from oblivion." We can all laugh at that one as well, but it may be truer than we want to admit. I always have some difficulty with freedom. Everyone wants freedom and more freedom. No one seems to be prepared to take on the major responsibilities that come with the type of freedoms we take so freely.

It has been an honour to participate in this debate. I look forward to a vote some time in the future. I will be voting against the amendment to Bill 7, section 18.

17:10

Mr. Partington: I rise at this time to indicate my opposition to subsections 18(1) to 18(5), inclusive, of Bill 7.

First and foremost, I have grave concerns about the hasty and secretive fashion in which this section was introduced to Bill 7, which is now before us.

Mr. Wildman: Was it not a public meeting?

Mr. Partington: If the member will wait, I will get to that in a few minutes.

Furthermore, I strongly believe our current laws provide all Ontarians with adequate protection against discrimination. After all, the Canadian Charter of Rights specifically provides that every individual is equal before the law and has the right to equal protection of the law. If passed, this amendment will provide a group of Ontarians with special status or additional rights that are not afforded to other groups in our society.

As originally conceived, Bill 7 was to be housekeeping legislation, an omnibus bill that would amend a number of Ontario statutes to bring them into conformity with the provisions of section 15 of the Canadian Charter of Rights and Freedoms. As such, Bill 7 was not supposed to include what would be considered substantive changes in law.

It should be noted that section 15 of the Charter of Rights and Freedoms provides as follows:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour,

religion, sex, age or mental or physical disability."

The *raison d'être* of Bill 7 was to bring a group of Ontario laws into conformity with this section, yet nowhere in section 15 or even the charter as a whole is sexual orientation specifically enumerated as a prohibited ground of discrimination.

Accordingly, I believe that by amending the Ontario Human Rights Code in the fashion envisioned by section 18 of this bill, this legislation goes beyond the scope of the Charter of Rights. In effect, this has transformed Bill 7 from housekeeping legislation into legislation that introduces substantive changes to Ontario law.

While I am on the topic of section 15 of the Canadian Charter of Rights and Freedoms, I would like to re-emphasize that after a full and complete review of this matter, unlike what has occurred in this situation, the special joint committee of the Senate and the House of Commons on the Constitution of Canada, by a vote of 22 to two, soundly indicated that sexual orientation was not to be included in section 15 of the charter.

If the Charter of Rights does not include a provision relating to sexual orientation, I question how Bill 7, in its effort to bring the Ontario Human Rights Code into conformity with the charter, can include a provision relating to sexual orientation. If anything, Bill 7 takes the Human Rights Code beyond the scope of the charter, rather than bringing it into conformity.

As the title of Bill 7 points out and as was confirmed by the advertisements that appeared in the province's newspapers to solicit input on this legislation, Bill 7 is an act to amend certain Ontario statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms. In neither the ads nor the act's title was the public put on notice that the issue of sexual orientation would be debated. Consequently, the standing committee on administration of justice did not examine this issue in full, nor did it examine it from all perspectives.

Mr. Wildman: Wrong.

Mr. Partington: I am absolutely right.

Furthermore, most groups and individuals who wanted to share their views on this issue failed to do so, obviously because they believed the scope of Bill 7 did not extend to this issue. In fact, it was only at the 11th hour, after the time for public submissions had ended, that this amendment to Bill 7 was introduced by the member for Ottawa Centre and passed with the

unanimous support of the New Democratic Party and government members in committee.

The failure to give the public clear and proper notice of this amendment, together with every opportunity to make submissions outlining concerns about this initiative, makes a mockery of the government's pronouncement on taking office in June 1985 that it intended to run an open and accessible government. If anything has been closed to date, this issue certainly has.

I might mention in passing for the member for Ottawa Centre that on May 2, when the committee was dealing with the Mental Health Act—it is a very interesting parallel—there were certain amendments by the member for Ottawa Centre as a result of submissions, I think, of legally oriented arguments. Before the vote was taken, Dr. Saunders, a psychiatrist at the Clarke Institute, and another doctor had serious reservations about the amendments proposed by the member and suggested they would put psychiatry back 100 years in Ontario. Submissions were made by these doctors, and as a result, I moved to open public hearings so these doctors, who had the expertise and knowledge to run our mental health facilities in Ontario, could make submissions. As a result of their submissions, we have the Mental Health Act amendments here.

It is interesting to note that the member for Ottawa Centre and her associate the member for Scarborough-Ellesmere (Mr. Warner) voted against opening the hearings so we could hear from Dr. Saunders and his associates. The parallel is there. The member did not want to hear from the experts, the people who could bring expertise to the issue.

The government and the third party want to pass subsections 18(1) to 18(5) without giving the great mass of the public in this province, who are very concerned about this issue, a chance to present their side of the case, a side that is very important to this issue and very important to the people of Ontario.

On April 1, 1986, in responding to Paul Tremblay, a Simcoe County Board of Education trustee who had written to complain about the undemocratic fashion in which this section was introduced—

Mr. Wildman: Undemocratic?

Mr. Partington: Yes, undemocratic. I thank the member for emphasizing my statement.

In his response, the Premier stated, "I want to assure you that all submissions on this issue from concerned individuals and groups will be carefully considered before a decision is made." Yet, on further investigation, Mr. Tremblay was advised

that no further submissions were being accepted on this issue.

17:20

It is obvious to me from the many phone calls and letters I have received on the issue since this amendment was introduced that there is an abundance of concerned individuals and groups who are interested in this matter and who would have made submissions had they been aware that any thought was being given to the introduction of this amendment. The fact is that the amendment was introduced after the public discussions were closed. The committee understood it was dealing with housekeeping amendments.

Ms. Gigantes: Why did you not tell them it was being circulated?

Mr. Chairman: Order. If the member would address the chair, perhaps there would be fewer interjections.

Mr. Partington: That is an excellent idea.

I have had letters from church leaders, well-respected groups such as Big Brothers, children's aid societies, employers, landlords, businessmen and ministers, all of whom have expressed serious reservations about the proposed amendment to the Human Rights Code. In fairness, I have discussed the issue in my office with members of Gay Outreach Niagara and have received some correspondence. However, by far, the overwhelming pressure and comment have been from those individuals who are opposed to the amendment to subsections 18(1) to (5).

For example, Reverend Hillsden of the Pentecostal Assemblies of Canada was quick to point out in his letter to me:

"It is our opinion that the process by which the amendment was included in Bill 7 did not give ample opportunity for the public to make its views known on this matter, which the federal government has admitted addresses some of the most difficult moral and religious concerns of Canadians. This controversial amendment was never made known to the public and was only added to Bill 7 on May 6, 1986, the very day it was moved and carried."

This view was echoed by the Evangelical Fellowship of Canada—

Ms. Gigantes: It is the only way it can be added to Bill 7.

Mr. Chairman: Order. The member for Brock has the floor.

Mr. Partington: I understood it was my turn to speak, and that is what I am trying to do.

The view of Reverend Hillsden, which I just quoted, was echoed by the Evangelical Fellowship of Canada, which stated:

"It would be wrong for the Ontario Legislature to interpret the stillness of the public on this issue as a lack of public interest. The stillness of the public is not due to a lack of interest but rather to a lack of awareness about the amendment being proposed and its profound social and religious implications."

As a matter of interest, I might refer to only one or two letters of the many I received in opposition, raising some of the issues the public of Ontario is concerned about, wanted to comment on and has been prohibited from doing, wittingly or unwittingly.

One letter I will refer to is from Dave Douevau of 276 Riverview Boulevard, St. Catharines. He writes to me as follows:

"I would like to express my strong opposition to Bill 7 and hope that this letter reaches you before its third reading. This amendment would, I am convinced, seriously undermine the status of the traditional marriage and family in our society. As a family man, I know it is not the thing you would want. Surely our culture needs as many sturdy, strong institutions as possible, and the radical redefinition of these two institutions would be most unsettling. I fear as well that churches, social agencies and home owners would be forced to employ or rent to individuals whose sexual practices or moral standards would be repugnant to them."

I read that only to point out this gentleman's concerns. He is concerned about the family, as we all are, and that we all should support a strong family unit in our society. But he also raises an issue of accommodation, and I might talk about that briefly, because again the member for Ottawa Centre has referred to it.

The passing of subsections 18(1) to (5) would prohibit discrimination, generally speaking, in all accommodation of any kind. I point out that what I am talking now about will raise the need for a full public hearing; it is the reason one should have been held and is the reason one should perhaps still be held before we dispose of this issue, which is so important to us all.

Under section 2 of the Ontario Human Rights Code, dealing with the right to rent accommodation, one will not be able to discriminate on the basis of sexual orientation. Subsection 20(1), which the member for Ottawa Centre referred to, basically says:

"The right under section 2 to equal treatment with respect to the occupancy of residential

accommodation without discrimination is not infringed by discrimination where the residential accommodation is in a dwelling in which the owner or his or her family reside if the occupant or occupants of the residential accommodation are required to share a bathroom or kitchen facility with the owner or family of the owner."

That is a very narrow exception. For example, it would eliminate what I suggest would be a case where a Mrs. Jones with three children owns a duplex and occupies the lower or upper floor. Because of her upbringing, her traditional family values, her concern for the family, she may decide she does not want to rent that accommodation to someone of a homosexual character. The fact is that, under this act, Mrs. Jones would lose the right to discriminate in that manner.

We all recognize that homosexuals have a right to reasonable accommodation, as do all members of society; that is a fact I accept. However, I also accept the fact that there are people such as the Mrs. Jones I have just referred to who have a right to choose certain moral traditions they choose to live by. Therefore, there has to be a balance between these two social interests, if you like: on the one hand, the right of homosexuals to have reasonable accommodation, as they should, and on the other hand, the right of a Mrs. Jones, as I call her, to make sure her children are brought up in the manner in which she chooses.

When the Attorney General was talking about this bill, he thought people would be opposed to it out of fear or for certain moral reasons. I suggest that people might also be opposed to it or concerned about it out of love for their family, for their children and for their society. It seems to me that on the issue I have just talked about—on the one hand, the right of someone perhaps to be a little choosy in certain limited circumstances with respect to renting, and on the other hand, the right of a homosexual to have an apartment, which in my submission today does exist—if there is a concern, it is because of the housing crisis, not because of discrimination.

Anyway, this issue is one that should have been addressed in committee, where the public, the many groups I referred to earlier, have a right to come and make their submissions—those groups, those individuals, as well as the many gay and lesbian rights groups we heard in committee. To make a decision such as that, there should be balanced input; there must be input from both sides. To follow through with this bill, to pass it, to deal with an issue that is this complex without giving the public an opportuni-

ty to be heard, is doing a great disservice to the public and to the Legislature.

As I indicated before, I believe homosexuals are entitled to the same rights and freedoms, the same respect and human dignity enjoyed by heterosexuals in a free and democratic society. I submit that, under the laws as they exist, those rights do exist. We do not need this further government intrusion into the rights of society.

17:30

In conclusion, I remind the members of the treatment this issue received when the Ontario Human Rights code was amended in 1981. At that time extensive amendments, not just house-keeping amendments, to the code were under consideration by the Legislature and intensive lobbying efforts were once again mounted in support of a similar amendment. However, after a full and frank public discussion of the issue, this amendment was overwhelmingly rejected.

I would like to refer to a letter by Calvin William Beresh, a lawyer at 5145 Valley Way in Niagara Falls; it is a letter that appeared in the *St. Catharines Standard*. Subsequent to that I had an opportunity to talk to Mr. Beresh; he is very concerned about this issue. He sees problems about it from a lawyer's point of view.

I will refer to one other item because there was some suggestion with respect to Big Brothers and with respect to religious, philanthropic and educational institutions that they would be exempt from the purview of subsections 18(1) to (5).

I had a look at clause 23(a) of the Human Rights Code, the section that purports to exempt religious, philanthropic and educational institutions. It reads as follows:

"The right under section 4 to equal treatment with respect to employment is not infringed where,

"(a) a religious, philanthropic, educational, fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by their race, ancestry, place of origin, colour, ethnic origin, creed, sex, age, marital status or handicap employs only, or gives preference in employment to, persons similarly identified if the qualification is a reasonable and bona fide qualification because of the nature of the employment."

It is my submission that without making a further amendment to section 23 in regard to sexual orientation, section 23 does not provide the protection that the Attorney General or the member has alluded to. It is certainly not in the bill.

This raises a further issue. The reason I bring it up is that many members of the public are concerned about it. It is another issue that should have been addressed in a public hearing where both sides would have had an opportunity to express their views, to investigate it and to try to work out a workable solution and not just have one side of the issue.

In any event, in the letter to the editor, Mr. Beresh states:

"In 1981, the Human Rights Code was amended extensively, and at that time there was lobbying for this kind of amendment to the code. The amendment was overwhelmingly rejected after over 150 public submissions were made in a public forum. Now, five years later, not one public submission has been accepted. Rather, after second reading, the committee received submissions from a lobby group sponsored by the Canadian Association for Lesbians and Gay Men, which resulted in this amendment being added after the bill had passed first and second reading without previous reference to 'sexual orientation.'

"My concern is expressed not only from the point of view of pervasive legal implications but also from the point of view of the democratic system that we want to encourage and that we have been led to believe exists by the new provincial government. Our democratic system of government is based on a number of fundamental principles, one of the most important of which is that each elected member occupies a position of public trust. As I mentioned earlier, the Premier alluded to this principle during his swearing-in ceremony when he spoke about the need for open and accessible government.

"I firmly believe that by passing sections 18, subsections (1) to (5) of Bill 7 into law, without allowing all interested groups and individuals a full and frank opportunity to make their views known on this critically important social and moral issue"—and the Attorney General has alluded to that—"the members of the Legislature will be acting in breach of the public trust which was placed in them, and at the same time they will be bringing our democratic system of government into disrepute."

Ms. Gigantes: On a point of privilege, Mr. Chairman: The previous speaker has suggested I was party to sneaking in the amendments that are before us to the standing committee on administration of justice. As a member of the justice committee, he knows the amendments were circulated by me in February, before we had hearings in February, March and April.

I placed the amendments in early May as we came to the section in the clause-by-clause consideration of Bill 7, at which point he says they were introduced. Of course, they were introduced then. He should not suggest that every member of the justice committee had not known about them for three months. Many of the presentations before us indicated the public knew over a period of many weeks in the spring of this year that we were dealing with the amendments before us today.

Mr. Chairman: That is not an appropriate point of privilege.

Mr. Brandt: On a point of privilege, Mr. Chairman: As chairman of the justice committee, I simply want to respond to what what the member for Ottawa Centre has said in her inappropriate point of privilege; and I know you will not rule me out of order until I have finished responding to the inappropriate point of privilege she has just raised.

We take no issue whatever with the inappropriate point of privilege in the context of that message, but what my colleague was trying to indicate in his address, which I am sure you will rule in order—do not rule me out of order; I have not finished yet. You cannot rule me out of order until you hear all the arguments I place before you in this humble submission.

Mr. Chairman: Yes, I can.

Mr. Brandt: The question at hand is not when the amendments were placed before the committee but that members of the public had no opportunity whatever to express their views before the justice committee so that their views could be known and very carefully balanced in a sensitive way by all members of the committee.

Is that out of order?

Mr. Chairman: Yes. That is out of order also.

Ms. Gigantes: Why did you not let them know about it, when you knew about it for three months?

Mr. Chairman: Order. The member for Cambridge.

Mr. Barlow: Mr. Chairman, throw them out and let them argue outside. I would like to add a few remarks and present the view of what I feel is the majority of people of Cambridge on this issue. We are dealing with a very emotional and sensitive issue in this amendment.

As have other members on all sides of the House, I have received a lot of mail, nearly 100 letters, and many phone calls, all but one from constituents opposing this amendment. I received letters supporting the amendment that

were from outside my constituency, but I am talking about the ones from constituents of mine in Cambridge. Later, I will refer to the one that supported the amendment.

We are looking at several things here, and I am not going to read any of these letters into the record. In essence, they are similar to many of those that have been read into the record so far. They deal with the moral values and traditions of our society, and this is a point of view that I personally share; it is a moral issue we have to deal with.

I support those who have suggested—and again this is my personal feeling as well as that of the people who have written to me and phoned my office—it is a deviation from the traditional family values that we as individuals have grown up with in Ontario and in many other provinces and jurisdictions throughout the free world. As legislators, we should be doing everything we can to support these traditional family values.

It is a well-known fact that there are many family breakdowns in society in this day and age. That is not at issue here, but I am sure anyone who has ever gone into a marriage has gone into it with the full intention of making that marriage work, the traditional family upbringing that we—certainly I, coming from southwestern Ontario—have been raised in. I was raised in my younger years in the Presbyterian Church, and after marriage, I became an Anglican. All the church teachings, I feel, support and strengthen our family values.

17:40

I want to make my personal feelings on this absolutely clear. I am opposed to discrimination of any sort against any group of individuals. That has to be very clear, and that protection is there under both the Human Rights Code and the federal act. I feel we cannot and should not allow discrimination against any individual or group in our society.

However, I am opposed to granting special privileges to any one section of society that are not granted to all other sections of society. This point has been made on several occasions. If this amendment were to pass, we would be granting special privileges to a particular group of people who, for whatever reason, are or have chosen to be homosexuals. That is their right. It should not be debated, and it is not being debated in this House. I do not think it has been raised as part of the debate at all. The amendment that is before us goes against what I believe in. It supports giving special privileges to a particular group of individuals.

I am also concerned, as my colleague has just brought out, that it was brought forward without the people of Ontario having had an opportunity to express an opinion on it. The people of Ontario had every right and every opportunity to deal with all the numerous amendments to the Human Rights Code that are dealt with in Bill 7; they all had an opportunity to deal with everything. However, most of the delegations that were before the committee—and I subbed in on two or three occasions—were not aware that this was going to be an issue that was going to be dealt with by this Legislature. It is only fair that we go back and give the people of Ontario who wish to express an opinion for or against this amendment an opportunity to deal with it and make their positions known to the appropriate committee, probably the standing committee on administration of justice.

Because it is an omnibus bill and has many sections in it that should be passed and are not at all controversial, the bill probably should be passed and proclaimed, with this one exception. This may be a way out: to except this one section and delay its proclamation until there has been a full and complete hearing of all those who wish to participate. It is a suggestion; it is an opportunity.

While I am expressing that concern, I also want to express the concern that all members of this Legislature have an opportunity to stand up at the appropriate time and express their opinion by voting for or against the amendment. What I mean is that it is a known fact that our party has a free vote here; it is a known fact that the New Democrats are going to be voting in block in support of the amendment.

Hon. Mr. Nixon: You haven't heard the leader say that yet.

Mr. Barlow: I have not heard the leader say that. Maybe they are not; maybe the whip is not on yet.

We know that two Liberal members have spoken in opposition to the amendment. We know there are many other members uncomfortable with the Liberals. I hope they will have an opportunity—

Mr. Wildman: They are uncomfortable with the Liberals.

Mr. Barlow: Most people are uncomfortable with the Liberals, including especially their own members.

I hope those Liberals who have the moral judgement and value that they want to vote against this amendment will not be sick or excused from House duty on that day. We understand many Liberals were concerned about

another issue and were absent on the day. That was in regard to the issue of beer and wine in corner stores. About 28 members of the Liberal Party voted on that out of a potential 49 or 50 members, whatever it is now. I am very sincere when I say that I hope the Liberals have a free vote and that those who wish to express an opinion on it are in the House and express that opinion at the appropriate time.

Without reading letters into the record, I feel I have presented the opinion of most of the people of my constituency. I did receive one letter in support of this; it arrived very late last week. I knew this debate was coming forward this week. I did not have a chance to send a letter to the individual who sent me this letter supporting the amendment. I phoned him on the weekend and talked to him. He is a person I have known for years. I know his parents very well. I explained to him what my position was in this matter. He concurred and understood my feeling on this. I said: "I feel you are protected as any other member of society under the Human Rights Code. I do not feel you should have any special recognition or special status in the Human Rights Code." He understood that and incidentally will be out campaigning for me again during the next election.

With those remarks, I rest my case.

Hon. Mr. Nixon: Soon after I was elected, the Human Rights Code was introduced in this House; I was a bit jealous that a Conservative government had the honour of doing that. I would be less than fair if I did not point out that it led the other provinces in Canada in establishing the undoubted rights of minorities and others, religious and otherwise, in this province. It was easy to vote in support of it in 1962, although there were still people with residual prejudices that were noticed; they were measurable and vocal. There were even some objections that codifying something such as that was inappropriate and generally not the sort of activity that a Legislature should undertake.

Mr. Frost, as well as Mr. Robarts, deserves a good deal of credit for moving forward with that. I had the honour of speaking in favour of it and voting for it then, and since that time, for each amendment that has come forward on behalf of the government of the day or from the Legislature. I have had an opportunity to make some personal assessment, and in each instance that I can recall I spoke in favour of it and voted for it. I am delighted to be able to do that in this instance as well.

One of the most important reasons for governments, for modern governments in particular, is to recognize our responsibility associated with human rights and to act with a clear move to reinforce them, to strengthen them, to make sure they are understood and not only to declare by law that these rights exist but also to use our best efforts as educationists in the broader sense to see that prejudice is put aside and that a more modern approach to the requirements of a community is understood.

17:50

We have a proud legacy in this province. I must say the Progressive Conservative Party has a proud legacy. It appals me that in this instance so many speeches are made that I view as being against this appropriate expansion and extension of understandable human rights. The idea that the House has not had an appropriate time to discuss this matter, or that the community has not had an appropriate period of time to gather its views and express them through their members, is certainly wrong. The matter has been debated in this House, it has been before the standing committee and I, as one parliamentarian here, reject that argument. We have had plenty of opportunity and—

Mr. Barlow: Closed government; that is what this is all about.

Hon. Mr. Nixon: Closure? Good heavens.

Mr. Barlow: Closed government, not closure.

Hon. Mr. Nixon: There is not a thing the matter with this process, and I am delighted to be a part of it.

I simply want to express some criticism of many of the Progressive Conservatives who have indicated they are not in support of this extension of human rights, particularly with their great record as a party over these years.

We have a number of grand traditions in Canada and Ontario that we are proud of, but we have some other traditions of, I suppose, ignorance and prejudice of which we are not nearly so proud. The Attorney General, in his excellent speech yesterday, indicated what some of those were. I live in a community that reflects many of those prejudices, and they are not all dead yet by any means.

I recall as a student during the Second World War that Germans were forced off farms in communities in Canada—German families that had been here for two or three generations. We know what happened to the Japanese on the west coast. There is even a residual prejudice, for

example, against English in this community, startling though that may be and even though it is illegal. It is true, and I have even heard it expressed in some kind of backhanded way in this House.

In my own rural community, where I used to walk to school and meet young people on the street, there was not a Jew in our community. There was not a Catholic, believe it or not. When the first Catholic family moved into St. George, we all got on our bikes and drove down to see what they looked like. We have yet to be put to the test on those other matters.

It is quite interesting that the broadmindedness that is not always associated with rural communities has, in my view, grown and strengthened in southwestern Ontario, where my roots are and where I associate myself with the views of the people. But in my own riding, which is a large rural area with very few urban areas—the town of Paris, with a population of 6,000, is the biggest—there was very strong antipathy to extending Catholic secondary schools. The concept of improving French-language services is not accepted; I have to defend it, and often am put in the position where I do so.

On election night, when I went down to the headquarters to receive the congratulations and loud applause of the gathered 27 people, there was, as usual, a bunch of good old farmers of Scottish extraction—we still call them Scotch, which I still think is appropriate—very strong supporters of me and my father; they always point that out. They were congratulating me, and I said, “I want to congratulate you, because you know that you have voted for beer in the grocery stores and money for Catholic schools.” They said, “Bob, we know you are kidding about that.”

Ms. Gigantes: And you were.

Hon. Mr. Nixon: No, I was not.

One of the things that has enabled me to survive, and I presume the television viewing at this time of the evening is rather low, is that I have been fortunate enough that when I spoke in favour of expansion of the Catholic school system, for example, I suppose many of these people just could not believe I intended to do that. This has now been fulfilled. As a matter of fact, I do not recall ever convincing anyone of the usefulness and efficacy of those changes except one person, and that was Bill Davis. When he got a change of heart, then it happened; and members know those motions of the Legislature that accomplished that and all the interesting ancillary developments.

We have all received letters and phone calls. My first call came this morning at 5:45. One of

my neighbours wanted to be sure to get me before he went out to the barn. He knew I left early, and he wanted to express his views, which were not entirely parallel to my own. In a very nice way, he made the usual threat, which is probably more than a threat, that he certainly was not supporting me on this and would therefore not be able to support me in an election. That may happen, and it is something we must concern ourselves with. However, I do not think it is even on the scale with trying to make an objective assessment of a matter that is surely one of the most important we as members of this Legislature ever face; that is, the rights of our fellow man.

In that instance, we have to assess all the ramifications. We have had it carefully described to us by some of the best speakers anywhere that we are not changing the Criminal Code, and we are not subjecting young or old people to any threats that are not very real at present; it changes that not at all. It simply recognizes that there are people in this province whose human rights are not protected. This bill and this amendment aims to protect those human rights.

I am very honoured to be able to rise and speak in favour of the amendment, and when the proper time comes, I will vote in favour of that amendment. I simply ask my good friends in the Progressive Conservative Party to think of their traditions and the views their fathers and mothers held in a previous generation on some other matters that have been protected. Perhaps those views were somewhat unreconstructed, based on fear—shall I say ignorance?—and we are glad we have moved away and on from that. I am not sure this is exactly the same kind of test. There are those who will be quick to say it is not the same kind of test. My opinion is, it is the same kind of test; it deals with human rights.

As individuals elected to this House, we have the opportunity to review the alternatives. We have the responsibility to reject fear, particularly the kind of fear that is based on something less than a full understanding or even a Christian understanding of the needs of other people and ourselves in this community. Therefore, I have no doubt in my own mind what is right to do, and I will be delighted to support my leader and most of my colleagues in voting for this amendment.

On motion by Hon. Mr. Nixon, the committee of the whole House reported progress.

Hon. Mr. Nixon: On a point of order, Mr. Speaker: While it was intended that we do a committee report tomorrow, I expect there will be agreement that it will be appropriate for us to continue with this debate.

The House adjourned at 6 p.m.

CONTENTS

Wednesday, November 26, 1986

Members' statements

Layoffs in Sudbury, Mr. Gordon	3649
Recognition of psychoanalyst, Mr. Henderson	3649
Ontario Federation of Agriculture, Mr. Stevenson	3649
Store security system, Mr. Breaugh	3649
Simcoe Day, Mr. McLean	3650
Unemployment in northern Ontario, Mr. Laughren	3650
Ontario Federation of Agriculture, Mr. D. R. Cooke	3650

Statements by the ministry and responses

Liquor warehouses, Hon. Mr. Kwinter, Mr. Gillies, Mr. Philip	3652
Adult education, Hon. Mr. Conway, Mr. Davis, Mr. Allen	3653

Oral questions

Plant shutdowns, Mr. Grossman, Hon. Mr. O'Neil	3654
Nursing homes, Mr. Grossman, Hon. Mr. Sweeney	3655
Tariffs on softwood lumber, Mr. Rae, Hon. Mr. O'Neil, Mr. Laughren	3656
Social assistance, Mr. R. F. Johnston, Hon. Mr. Sweeney	3657
Layoffs in northern Ontario, Mr. Pope, Hon. Mr. O'Neil, Mr. Swart	3659
Layoffs in Sudbury, Mr. Gordon, Hon. Mr. O'Neil	3660
Housing for the disabled, Mr. Rae, Hon. Mr. Curling	3660
Layoffs in Sudbury, Mr. Pope, Hon. Mr. O'Neil	3661
Highway safety, Mr. Pouliot, Hon. Mr. Fulton, Mr. Wildman	3662
Layoffs at ethyl plant, Mr. Brandt, Hon. Mr. O'Neil	3662
Professional certification, Mr. Mackenzie, Hon. Mr. Kerrio	3663
Courthouse, Mr. Baetz, Hon. Mr. Scott, Mr. Sterling	3663
Occupational health and safety, Mr. Martel, Hon. Mr. Peterson	3664
Funding of post-secondary education, Mr. Ward, Hon. Mr. Sorbara	3665

Petitions

Equality rights legislation, Mr. Hennessy, Mr. McLean, tabled	3665
Day care, Ms. Gigantes, tabled	3665
Pay equity legislation, Ms. Gigantes, tabled	3666

Report by committee

Standing committee on regulations and private bills, Mr. Callahan, agreed to	3666
---	------

First readings

Canadian Insurance Exchange Act, Bill 158, Hon. Mr. Kwinter, agreed to	3666
Insurance Amendment Act, Bill 159, Hon. Mr. Kwinter, agreed to	3666

Committee of the whole House

Equality Rights Statute Law Amendment Act, Bill 7, Hon. Mr. Scott, Mr. J. M. Johnson, Mr. R. F. Johnston, Mr. Baetz, Mr. Runciman, Mr. Henderson, Mr. Hennessy, Mr. Dean, Mr. Davis, Mr. Villeneuve, Mr. Partington, Mr. Barlow, Hon. Mr. Nixon, progress reported	3667
---	------

Other business

Rescue of Soviet soldiers, Mr. Shymko, Mr. Rae, Hon. Mr. Nixon.....	3651
Distribution of report, Mr. Philip, Mr. Mancini, Mr. Speaker.....	3665
Visitor, Hon. Mr. Nixon.....	3665
Adjournment,	3691

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Baetz, R. C. (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Callahan, R. V. (Brampton L)
 Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
 Cooke, D. R. (Kitchener L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Davis, W. C. (Scarborough Centre PC)
 Dean, G. H. (Wentworth PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Fontaine, R. (Cochrane North L)
 Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Gregory, M. E. C. (Mississauga East PC)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Henderson, D. J. (Humber L)
 Hennessy, M. (Fort William PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
 Laughren, F. (Nickel Belt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
 McLean, A. K. (Simcoe East PC)
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
 O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
 Partington, P. (Brock PC)
 Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Poirier, J. (Prescott-Russell L)
 Pope, A. W. (Cochrane South PC)
 Pouliot, G. (Lake Nipigon NDP)
 Rae, R. K. (York South NDP)
 Runciman, R. W. (Leeds PC)
 Scott, Hon. I. G., Attorney General (St. David L)

Shymko, Y. R. (High Park-Swansea PC)

Smith, E. J. (London South L)

Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development
(York North L)

Sterling, N. W. (Carleton-Grenville PC)

Stevenson, K. R. (Durham-York PC)

Swart, M. L. (Welland-Thorold NDP)

Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)

Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)

Villeneuve, N. (Stormont, Dundas and Glengarry PC)

Ward, C. C. (Wentworth North L)

Wildman, B. (Algoma NDP)

JUN 10 1987

